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War, Kidnapping, Dismemberment, and Exchange: (Im)Proper Regulation of Bodies in Judges 19–21

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War, Kidnapping, Dismemberment, and Exchange: (Im)Proper Regulation of Bodies in Judges 19–21

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In this study, I examine how the foundation of the tribal society depicted in the Hebrew Bible book of Judges rests on the correct control of female and male bodies, such as through the exchange of women as wives or the rules of hospitality toward visitors, using The [Anti-] Benjaminite Novella (Judges 19–21) as a test case. I argue that this story of the rape and death of the Levite's wife, the ensuing civil war, and eventual reconciliation between the factions stands as an example of the societal breakdown and return to normalcy in the tribal period depicted made possible through the proper and improper regulation of bodies. Scholarly interpretation on these chapters as a whole has typically focused on the apparent social disorder in the period before the monarchy which they are claimed to portray. Citing the monarchic refrain as evidence, scholars claim that the appendices to Judges (ch. 17–21) depict a society which has descended into chaos, a decline from which only the establishment of the (Davidic) monarchy can rescue the Israelites. However, regardless as to when one places the addition of these chapters to Judges, the monarchic refrain is clearly added by an editor to tie together disparate stories within the appendices. Without this refrain, these stories do not originally contain such a pro-monarchic slant. Instead, the exchange of women in Judg 21 makes it possible, through the eyes of the men, for the Benjaminite War to end in peace. As a result, rather than viewing Judg 19–21 as a story which points toward the unavoidable rise of the kingship, I argue that this story

describes an ideal scenario of the success of Israelite society without a king in overcoming their inter-tribal conflicts. My project extends the conversation found in the scholarship on this story, expanding the discussion to include the regulation of both male and female bodies, allowing for a broader understanding of all segments of society in ancient Israel.

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Abbreviations

AB	Anchor Bible
ABD	*The Anchor Bible Dictionary*
AJSL	*American Journal of Semitic Languages and Literatures*
ANEP	*The Ancient Near East in Pictures Relating to the Old Testament*
AQ	*Anthropological Quarterly*
BA	*Biblical Archaeologist*
BAR	*Biblical Archaeology Review*
BASOR	*Bulletin of the American Schools of Oriental Research*
BDB	*A Hebrew and English Lexicon of the Old Testament*
BHK	*Biblia Hebraica*, ed. R. Kittel
BHQ	*Biblia Hebraica Quinta*
BHS	*Biblia Hebraica Stuttgartensia*
BibInt	*Biblical Interpretation*
BTB	*Biblical Theology Bulletin*
CAD	*The Assyrian Dictionary of the Oriental Institute of the University of Chicago*
CBQ	*Catholic Biblical Quarterly*
CDA	*A Concise Dictionary of Akkadian*
DH	Deuteronomistic History
EA	*Encyclopedia of Anthropology*
HN	*Handbook of Neuropsychology*

IBC	Interpretation: A Bible Commentary for Teaching and Preaching
IEJ	*Israel Exploration Journal*
Int	*Interpretation*
JAOS	*Journal of the American Oriental Society*
JBL	*Journal of Biblical Literature*
JIWS	*Journal of International Women's Studies*
JJS	*Journal of Jewish Studies*
JNES	*Journal of Near Eastern Studies*
JP	*Journal de Psychologie*
JPS	Jewish Publication Society Version
JR	*Journal of Religion*
JSOT	*Journal for the Study of the Old Testament*
KBL	*Lexicon in Veteris Testamenti libros*
KJV	King James Version
HALOT	*The Hebrew and Aramaic Lexicon of the Old Testament*
L&L	*Law & Literature*
MAQ	*Medical Anthropology Quarterly*
MT	Masoretic Text
NEA	*Near Eastern Archaeology*
NIB	*The New Interpreter's Bible*
NICOT	New International Commentary on the Old Testament
NRSV	New Revised Standard Version

OTL	Old Testament Library
RevQ	*Revue de Qumran*
TynBul	*Tyndale Bulletin*
VT	*Vetus Testamentum*
WBC	Word Biblical Commentary
ZAH	*Zeitschrift für Althebräistik*
ZAW	*Zeitschrift für die alttestamentliche Wissenschaft*

Chapter 1: Introduction

Judges 19–21 relates the story of the rape and death of the Levite's *pîlegeš*[1] (ch. 19) and the resulting civil war between the Benjaminites and the other tribes of Israel (ch. 20), who are then reconciled through the exchange of women as wives for the defeated Benjaminites (ch. 21). As I discuss below, much of the scholarship on these chapters has typically focused on the apparent social disorder depicted in the period before the monarchy, claiming that the appendices to Judges (chs. 17–21) portray a society which has descended into chaos, a descent from which only the establishment of the (Davidic) monarchy can rescue the Israelites.[2] In contrast, I argue that Judg 19–21 actually describes the success of this society in overcoming their inter-tribal conflicts. In lieu of the unifying effect of a king, the social order as depicted in Judges is founded on the regulation of bodies at all levels of society. Thus, Judges does not end with a hopeless state of a society in chaos,

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1 The Hebrew term *pîlegeš* has typically been translated as 'concubine', an anachronistic term laden with baggage, though a more accurate translation of 'secondary wife' is gaining wider acceptance. I choose to simply transliterate this term throughout my study. I discuss this term in detail in ch. 4.

2 See, for example, Charles Fox Burney, *The Book of Judges with Introduction and Notes* (2nd ed.; London: Rivingtons, 1920); J. Alberto Soggin, *Judges: A Commentary* (Philadelphia: Westminster, 1981), 305; Robert G. Boling, *Judges* (AB 6A; Garden City, NY: Doubleday, 1975), 277; and Tammi J. Schneider, *Judges* (Collegeville, MN: Liturgical, 2000).

Scholars often use the monarchic refrain ("In those days, when there was no king in Israel, every man did what was right in his own eyes." Judg 17:6, 21:25) to support their claim of a pro-monarchy focus to the appendices. I will discuss both the monarchic refrain and the so-called appendices to Judges in more detail below.

but rather in the peace of renewed kinship loyalties achieved through the correct control of bodies.

In this introductory chapter, I will first provide a brief summary of the pericope under investigation in this project.[3] I then discuss Judg 19–21 as a unit, including its position in the appendices to Judges and the various redactional layers. Next I review previous scholarship in biblical studies relevant to my study: the exegesis of this pericope and how the concept of the body has been used in analyzing the Hebrew Bible. I conclude this introductory chapter with a few notes about the project, including my opinion on the historicity of this text, my methodology, and an outline of the rest of the chapters.

The [Anti-] Benjaminite Novella

At the beginning of this text, which I title *The [Anti-] Benjaminite Novella*, a Levite residing in Ephraim has a falling out[4] with his *pîlegeš*, who runs back to her father's house in Bethlehem in Judah.[5] The Levite eventually follows her with his servant (*naʿar*) to bring

3 My full translation of Judg 19–21 can be found in Appendix A.

4 The Hebrew uses the verb *znh*, "to play the harlot" or "to commit fornication," while one version of the Septuagint reads the passive of *orgizō*, "to be angry." "Playing the harlot" places blame squarely on the woman's shoulders, while "to be angry" allows more space for her husband's (unspecified) actions to contribute to the *pîlegeš* leaving. I discuss this term in more detail in ch. 4 and in my notes to my translation in Appendix A.

5 Lillian Klein suggests that the *pîlegeš* is young, noting her designation as *naʿărâ* (Judg 19:3–6, 8–9), which Klein interprets as 'girl'. As I discuss in ch. 4, however, this term is primarily a status marker, with age only tangentially connected. Lillian R. Klein, "A Spectrum of Female Characters in the Book of Judges," *A Feminist Companion to Judges* (ed. Athalya Brenner; Sheffield: Sheffield Academic, 1993), 29.

her back, but her father keeps his son-in-law there for four days with celebrations.[6] On the fifth day, though the Levite lingers with his father-in-law until late in the day, he and his *pîlegeš*, along with his servant, set off for their home in Ephraim. After debating where to stop overnight, they travel to Gibeah in Benjamin, where no one offers them hospitality, and so they prepare to spend the night in the square.

At this point, the story resembles the tale of the two messengers sent to Lot in Sodom (Gen 19). Similar to Lot, a stranger (*gēr*) in Sodom, providing shelter to the two men, in Judg 19 an old man from Ephraim, a stranger (*gēr*) in Gibeah, provides shelter to the Levite and his entourage.[7] That same night, however, a group of men come to the Ephraimite's house and demand the presence of the Levite so that they may 'know' him (*yd*ʿ) a Hebrew Bible euphemism for having sex (Judg 19:22). The Ephraimite offers instead his virgin daughter and the Levite's *pîlegeš*. In the end, the Levite throws his wife out to the men to satisfy them. At this point the two stories drastically diverge: while the messengers from God save Lot's young girls in Genesis, the woman in Judges is raped and abused throughout the night by the men of Gibeah. Afterward, she manages to crawl back to the threshold of the old man's house, where she collapses.

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6 As I will discuss in ch. 4, the father focuses on his son-in-law, not his daughter, whom the text does not include in the account of the festivities.

7 I discuss the *gēr* in ancient Israelite society in ch. 3 and the significance in the story of the old man's status as a *gēr* in ch. 4.

When she does not rise at his command in the morning, the Levite takes her home, chops her into twelve pieces, and sends them to the twelve tribes.[8] As we learn in ch. 20, these pieces summon the tribes of Israel to a council at Mizpah where the Levite relates the story of his night in Gibeah, though he neglects to mention his own nefarious role in the events by throwing his *pîlegeš* out to the men to save his own skin. After hearing his tale, the Israelites decide to destroy the entire town of Gibeah for their actions, but the Benjaminite tribe chooses to protect its close kin in Gibeah and fight against the rest of the tribes of Israel in a civil war.[9]

The battles go well for the Benjaminites for the first two days, but on the third day, the rest of the Israelites set a trap for the Benjaminites.[10] This snare results in the complete destruction of Gibeah and all the rest of Benjamin—men, women, and children—save six hundred men. With the Benjaminites almost completely extinct, a further problem is laid out in ch. 21: the rest of the tribes of Israel have made a vow at Mizpah that none of them

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[8] As I discuss in both the notes to my translation and in ch. 4, interpreters have long debated the exact moment when the *pîlegeš* dies, which the biblical text does not specify.

[9] As I discuss in ch. 4, Gibeah is a city in Benjamin, so by refusing to muster for battle with the rest of Israel, the Benjaminites choose their intra-tribal ties over their inter-tribal ties.

[10] This trap closely resembles Israel's battle strategy against the city of Ai in Josh 8. In both cases, the Israelites initially are defeated in battle. After God promises to deliver their enemies into the hands of the Israelites (Josh 8:1; Judg 20:28), they plan an ambush. Both ambushes involve using a small force to draw their enemies away from the city, at which point another force takes control of it and destroys it by fire. John Gray suggests that these similarities indicate the hand of a redactor who adapted this and other earlier stories into his version of Judges. John Gray, *Joshua, Judges and Ruth* (London: Thomas Nelson & Sons, 1967), 188.

will give their daughters in marriage to the Benjaminites. Because of this oath, without available wives for the remnant, the tribe of Benjamin will soon completely disappear.[11]

The Israelites need to be creative in order to both keep their oath and provide wives for their Benjaminite brethren. They first look for any group that did not muster for the battle against Gibeah and discover that no one came from the town of Jabesh-Gilead. In retaliation for failing to muster, the Israelites utterly destroy Jabesh-Gilead, with the exception of four hundred virgins, whom they give as wives to the Benjaminites. Still lacking enough women to satisfy all the men of Benjamin, the Israelite elders give permission to the Benjaminites to kidnap virgin girls dancing in a yearly festival at Shiloh. Though these women are likely members of the tribes of Israel, since they are being stolen and not given freely by their fathers, no oath has been violated.[12] After providing wives for the Benjaminite remnant, all the Israelites, including those from Benjamin, go home to their own territory and return to their daily lives which had been interrupted by the civil war.

Judges 19–21 as a Unit

Scholars typically refer to chs. 17–18 and 19–21 as the "appendices" to Judges. This designation indicates the different nature of these chapters compared to the main body of the text (Judg 3:12–16:31) structured by a continuous cycle of apostasy, oppression,

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[11] In ch. 3 I discuss the marriage practices of ancient Israelites, specifically their preference for endogamy, or marriage inside the group. Because of this preference, the Benjaminite remnant does not have the option to marry non-Israelites.

[12] See my discussion of the virgin's affiliation with Israel in ch. 5.

deliverance, and a return to Yahweh.[13] In addition, the main body centers around the figures of individual judges, charismatic leaders chosen by Yahweh to deliver the Israelites from

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13 For example, see Martin Noth, "The Background of Judges 17–18," in *Israel's Prophetic Heritage: Essays in Honor of James Muilenburg* (ed. Bernhard W. Anderson and Walter J. Harrelson; New York: Harper, 1962), 68–85; Burney, *The Book of Judges*, xxxvii; Gray, *Joshua, Judges and Ruth*, 152–58; J. Alberto Soggin, *When the Judges Ruled* (London: Lutterworth, 1965), 64; idem, *Judges*, 4–5; George Foot Moore, *A Critical and Exegetical Commentary on Judges* (New York: Charles Scribner's Sons, 1895; repr. Edinburgh: T&T Clark, 1958), xxix, 403–4; Andrew D. H. Mayes, *Judges*, (Sheffield: Sheffield Academic, 1995), 13–18; and Boling, *Judges*, 30–38.

Karl Budde argues that Judg 1:1–2:5 and 17–21 are included in the Deuteronomistic version of Judges at a post-deuteronomistic stage, but simultaneously argues that *17–21 is part of a pre-deuteronomistic combination of J and E sources. Karl Budde, *Die Bücher Richter und Samuel: ihre Quellen und ihr Aufbau* (Giessen, Germany: J. Ricker, 1890), xii–xv.

In contrast, Timo Veijola argues that these chapters are an integral part of the main body of Judges and naturally bring the cycle of apostasy, oppression, and deliverance to a close. Veijola attributes Judg 17–21, along with the main body of Judges, to DtrH, the earliest exilic redactor according to the Smend school, as I discuss in n. 34. See Timo Veijola, *Das Königtum in der Beurteilung der deuteronomistischen Historiographie: Eine redaktionsgeschichtliche Untersuchung* (Helsinki: Suomalainen Tiedeakatemia, 1977), 27–29. Marc Brettler argues that Judg 16 offers no conclusion formula, and thus cannot be viewed as the ending of the book. He also notes the ways chs. 17–21 are connected to the main body of the text, such as the comment about eleven hundred pieces of silver in 17:2. Since this is an unusual number in the Hebrew Bible, Brettler suggests this mimics the money given to Delilah by the Philistines in ch. 16. Marc Zvi Brettler, *The Book of Judges* (London: Routledge, 2002), 80–81, 109–10. Marvin Sweeney notes that the theme of intermarriage ties Judg 3:7–16:31 and Judg 17–21. See Marvin A. Sweeney, "David Polemics in the Book of Judges," *VT* 47 (1997): 523–25.

Other scholars agree with this argument that Judg 17–21 illustrates a logical progression from the main body. See, for example, J. Clinton McCann, *Judges*, (IBC 7; Louisville: John Knox, 1989), 10–11. Lillian Klein suggests that while multiple redactors edited Judges, the final form is a coherent whole organized through narrative form: exposition, main narrative, and resolution. See Lillian R. Klein, *The Triumph of Irony in the Book of Judges* (Sheffield: Almond, 1988), 11. Likewise, Cheryl Exum, Tammi Schneider, Robert Polzin, Barry Webb, and Robert H. O'Connell examine the whole book as a unified literary document. See J. Cheryl Exum, "The Centre Cannot Hold: Thematic and Textual Instabilities in Judges," *CBQ* 52 (1990): 410–31; Schneider, *Judges*, xiii; Robert Polzin, *Moses and the Deuteronomist: A Literary Study of the Deuteronomistic*

the hands of their various oppressors. The final five chapters instead focus on tales concerning two tribes, the Danites (chs. 17–18) and the Benjaminites (chs. 19–21), with a Levite character also prominent in each. These two stories primarily contain anonymous characters, as compared to the named judges found in the main text, such as Deborah and Samson. Judges 17–18 tells the story of Micah, but all the other characters—his mother, the Levite he installs as his household priest, and the Danites—remain unnamed. Likewise, the characters in chs. 19–21 are almost all anonymous.[14] Another unique element in Judg 17–21 is the so-called monarchic refrain (17:6, 18:1, 19:1, 21:25), which will be discussed more fully below.

Andrew D. H. Mayes argues that ch. 19 is originally an independent story, ending with the notice now found in 21:25, to which chs. 20–21 are later added. This chapter,

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History, Part One (New York: Seabury, 1980); Barry G. Webb, *The Book of Judges: An Integrated Reader* (Sheffield: Sheffield Academic, 1987); and Robert H. O'Connell, *The Rhetoric of the Book of Judges* (Leiden: Brill, 1996). While Serge Frolov is highly critical of interpreting Judges as one discrete book, he acknowledges that literary criticism has the best claim to this argument. See Serge Frolov, "Rethinking Judges," *CBQ* 71 (2009), 27; and idem, *Judges* (Grand Rapids, MI: Eerdmans, 2013), 25–29.

14 The only named character in these final three chapters is the priest Phinehas, grandson of Aaron (20:28). Scholars have noted, however, that his name here does nothing more than serve the purpose of placing this story in the third generation after the Exodus. As George Foot Moore indicates, the chronological placement for these stories would thus have been at the beginning of the book of Judges because by the end of the period of the judges, more than two generations have passed since Aaron. See Yairah Amit, *The Book of Judges: The Art of Editing* (trans. Jonathan Chipman; Leiden: Brill, 1999), 348 n. 41; and Moore, *Judges*, 433. While some scholars use the chronological misplacement to argue for their later addition to the main text of Judges, we must also ask whether the author/editor(s) of Judges may have had other reasons for placing the stories at the end of the text. This question is especially pertinent when we consider the inclusion of the monarchic refrain by the editor(s), as I discuss below.

along with Judg 17–18, serves as the original ending to the book. Judges 19 is a local story akin to the rest of the stories of judges, unlike 20–21, which expands to national proportions. The monarchic refrain, indicating the need for the centralized leadership of a king because of the lawlessness of the pre-monarchic Israelite society, functions better with Judg 19. In this local story, the ending remains wholly negative, though unresolved, with the Israelites noting, "Nothing has been done or has been seen like this from the time the Israelites came up from the land of Egypt until today. Put your minds to it; take council and speak" (19:30).[15] If Mayes is correct and 21:25 ("In those days, when there was no king in Israel, every man did what was right in his own eyes.") directly followed the Israelites' comment, the book of Judges ended entirely in chaos.[16]

Other scholars have noted a possible compositional separation between ch. 19 and chs. 20–21, such as Sara Milstein, who argues the opposite of Mayes in her recent dissertation. Looking at the Saul complex in 1 Sam 1 and 11, Milstein suggests that an early form of the Benjaminite War unit (20:14–48; 21:14–25) is included at its beginning. This initial version, which includes the birth narrative of Saul in 1 Sam 1 (later transformed into Samuel's birth narrative) is essentially pro-Saul. Later, Judg 19:1–20:13 is added to

15 All translations are my own, unless indicated otherwise.

16 See Mayes's argument in Andrew D. H. Mayes, "Deuteronomistic Royal Ideology in Judges 17–21," *BibInt* 9 (2001): 254–55. See also Hans-Winfried Jüngling, *Richter 19: Ein Plädoyer für das Königtum* (Rome: Biblical Institute Press, 1981), 244–84.

transform the complex to an anti-Saul account by implicating Gibeah as the impetus for the civil war.[17]

Despite these arguments for the original separation of various sections of Judg 19–21, I suggest that the final form of these chapters should be understood as a discrete, cohesive unit. Yet as we will see, these chapters indicate the hands of at least two separate authors/editors, if not more. In particular, ch. 20, the Benjaminite war, clearly contains two separate accounts which have been combined. As Yairah Amit has argued, these final chapters are carefully added to the text so they appear cohesive with the main body of Judges.[18] We may be able to distinguish between the Introduction (1:1–3:11), Main Body (3:12–16:31), and Appendices (17–18; 19–21) to Judges, but each separate unit is fully integrated into the whole text, at least in its current form.

One major binding element in *The [Anti-] Benjaminite Novella* is the monarchic refrain found in 19:1 and 21:25. Placed at the very beginning and end of this tale, the monarchic refrain delineates these chapters as a separate unit. 19:1 begins with the half

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17 See Sara J. Milstein, "Reworking Ancient Texts: Revision through Introduction in Biblical and Mesopotamian Literature" (PhD diss., New York University, 2010), 269–76. The monograph version of her dissertation, *Tracking the Master Scribe: Revision through Introduction in Biblical and Mesopotamian Literature*, is forthcoming from Oxford University Press.

18 She argues that chs. 17–18 served as the original ending to Judges, while 19–21 are later appended to the text, though the final form appears as a single unit. Judg 17–18 reflects the themes present throughout the book, such as the unique situation of the tribe of Dan (Judg 1:34–35) and the shortcomings of the judges. Judg 19–21, however, portrays an ideal scenario of the period of the judges. Amit, *Judges*, 310–56. See also Yairah Amit, "Editorial Considerations Regarding Ending," in *In Praise of Editing the Hebrew Bible: Collected Essays in Retrospect* (Sheffield: Sheffield Phoenix, 2012).

form of the refrain, "In those days, when there was no king in Israel," while 21:25 contains the full formula, "In those days, when there was no king in Israel, every man did what was right in his own eyes." With these two lines, and only with these lines, the author(s)/editor(s) frames the story, indicating the viewpoint through which the readers are expected to interpret the story: pro-monarchic.

Additionally, the monarchic refrain appears twice in the Danite story from the first appendix, chs. 17–18: again, once in its half form (18:1) and once in its full form (Judg 17:6). The appearance of this refrain in both appendices is the editor's attempt to tie these disparate stories together. Though it links the two, the locations of the refrain indicate that they are still considered separate stories. This is most evident in the second appendix (Judg 19-21), where the refrain opens and closes the story. In the Danite story (17–18), the refrain appears instead at key shifts in the text: at 17:6, we move from Micah making an ephod and teraphim to the introduction of the Levite priest who is a major actor in the remainder of the story; the Danite tribe, the center of this foundational tale, is introduced directly after the half refrain in 18:1.[19]

Besides these redactional considerations, looking at *The [Anti-] Benjaminite Novella* through a narrative lens likewise confirms its identity as a discrete unit. While we can divide up the action according to chapters (19: the rape of the Levite's *pîlegeš*, 20:

19 For the placement of the monarchic refrain in chs. 17–18, see, for example, Amit, *Judges*, 345.

Benjaminite War, 21: reconciliation), each element of the story feeds into the next.[20] After the death of his *pîlegeš*, the Levite calls together the entire assembly of Israel, who decides to retaliate against the people of Gibeah.[21] Because the Benjaminites support their closer kin in Gibeah, a civil war ensues in which the remaining Israelites almost completely destroy Benjamin, which leads them to find the Benjaminites wives in order to facilitate their reconciliation. Within this pericope, however, we also find clear indications of redactional layers, such as the details of the double-account of the civil war in Judg 20 and the double wife-giving in Judg 21.[22] It is in the details of these strands where we must consider the redactional layers to the text.

Redactional Layers

George Foot Moore points out the extreme difficulty in separating out the various editorial strands in Judg 19–21, though that has hardly stopped scholars from attempting to do so.[23] While in many places the text can be clearly understood in its final form, despite

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20 Of course, there are repetitions and contradictions which indicate different editorial layers, but despite this, the final form can be read as a coherent, if not entirely cohesive, whole.

21 Many scholars note that the punishment far outweighs the crime here. See, for example, Amit, *Judges*, 340; Boling, *Judges*, 277; and Soggin, *Judges*, 281. As I will argue, however, the Israelites' response is not only completely reasonable, but expected.

22 Philip Satterthwaite argues that these repetitions do not indicate multiple strands, but rather a deliberate move by the narrator to slow down the narrative. Satterthwaite engages in narrative criticism exclusively, and so understanding Judg 19–21 as a unified text, despite evidence to the contrary, supports his exegetical goals. See Philip E. Satterthwaite, "Narrative Artistry in the Composition of Judges XX 29ff," *VT* 42 (1992): 80–89; and idem, "'No King in Israel': Narrative Criticism and Judges 17–21," *TynBul* 44 (1993): 81.

23 Moore, *Judges*, 405.

any replications due to multiple editorial strands, the account of the Benjaminite War in ch. 20 requires a separation of the various layers in order to make the text comprehensible. Though claiming the impossibility of separating the strands in this chapter, Moore argues that the best guideline is the alternation between Mizpah and Bethel. Other early scholars frequently base their division of Judg 20 on the different terms used to describe the Israelites: 'children of Israel' (*bənê Yiśrāʾēl*) and 'men of Israel' (*ʾîš Yiśrāʾēl*), as I will discuss below.[24] Moore disagrees with this criterion, calling it "insufficient" with results which are "by no means satisfactory."[25] Moore instead finds most convincing Karl Budde's division for ch. 20 based on the criterion of location, Mizpah (older, perhaps J) versus Bethel (post-exilic), though Budde offers no reasons why the location criterion is to be preferred to the Israelite terminology criterion.[26] In the end, Moore proclaims even Budde's

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Early in the academic study of religion, scholars began debating the composite nature of Judges. See Gottlieb Ludwig Studer, *Das Buch der Richter grammatisch und historisch erklärt* (Bern: J. F. J. Dalp, 1835); and Ernst Bertheau, *Das Buch der Richter und Rut* (Leipzig: Weidmann, 1845).

24 In my translation (see Appendix A), as in most scholars' translations, I accurately translate both as simply "Israelites." I use the more literal terminology here to clearly indicate the appearance of each term. Note that 'men of Israel' (*ʾîš Yiśrāʾēl*) is literally '*man* of Israel', though the singular is being used as a collective plural.

25 Moore, *Judges*, 407.

26 Budde, *Die Bücher Richter und Samuel*, 151–55.

Some scholars question whether the Hebrew in this chapter refers to the specific place "Bethel" or to a generic shrine, literally a "house of El/God." The two terms are identical and are thus indistinguishable out of context. Given the location of the battles, going back and forth to Bethel seems unlikely. See, for example, Boling, *Judges*, 285.

division unsatisfactory, thus returning to his original disbelief in the success of separating the strands.[27]

John Gray more recently has also advocated the criterion of location for dividing up the problematic ch. 20, noting also that both traditions are likely genuine older traditions. He notes, however, that the Bethel passages typically describe the Israelites as 'children of Israel' (*bənê Yiśrāʾēl*), so perhaps he is actually using both criteria. He suggests that the two accounts of attaining wives in ch. 21 come from the same two locations: Judg 21:16–24b is part of the Bethel tradition, while Judg 21:1–12, 14a, 24a belongs to the Mizpah strand.[28] Finally, Gray argues that the monarchic refrain likely comes from the Bethel tradition, not from a Deuteronomistic redactor who less readily praises the regulatory influence of the monarchy, especially in religious affairs. These separate, genuinely old sources are then combined and lightly edited by a post-exilic Deuteronomistic redactor.[29]

Robert G. Boling neatly divides up the Israelites' victory over the Benjaminites (ch. 20) into two sections: 20:29–36 and 20:37–43.[30] Despite this division, he argues for four editorial stages for Judges as a whole and consigns chs. 19–21, along with ch. 1, to the final

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27 Moore, *Judges*, 408. He notes that the extreme difficulty in dividing up the sources in Judg 20, a case where we would expect it to be easy, should cause us to question to assumption that two sources were combined by an editor.

28 Gray, *Joshua, Judges and Ruth*, 189–90.

29 Ibid., 186–87; 190–91.

30 Boling, *Judges*, 287.

stage, a secondary Deuteronomistic edition he places in the 6th century BCE.[31] Though he notes the two separate sections at the end of ch. 20, he gives no indication of their origin or how they both came to be included in the final form of Judges. It is also unclear why he chose to divide up the story in those particular two sections.

Similar to Boling, J. Alberto Soggin argues that 19–21 is easily read as a coherent whole, with the exception of 20:29–46.[32] Based on a number of duplicates and parallels in vv. 29–46, he places the main division of the two versions between vv. 35 and 36.[33] Besides this division, Soggin divides chs. 19–21 into two originally separate units. The first unit revolves around the Levite, and consists of 19:1–28, plus an epilogue from 19:29–30, and a conclusion notice at 21:25 (the monarchic refrain). The second unit details the assembly of Israel and the civil war, followed by two epilogues (21:1–14 and 21:15–24) which are originally independent of one another. Soggin places the "pro-monarchical" section, unit one (ch. 19), during the earlier Deuteronomistic (abbreviated as Dtr) stage, DtrH or DtrG,

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31 Ibid., 31. This second editor is Frank Moore Cross's Dtr^2. See the discussion of Cross's division of the Deuteronomistic History below. Frank Moore Cross, *Canaanite Myth and Hebrew Epic: Essays in the History of the Religion of Israel* (Cambridge, MA: Harvard University Press, 1997), 274–89.

Yairah Amit notices the similarities between the introduction and the final three chapters. Given the various connections, such as the command from Yahweh for Judah to be first in battle (Judg 1:1–2; 20:18), Amit argues that the editor wanted to tighten the links between the beginning and ending of Judges in order to create a sense of an integral composition. However, as she notes, these parallels are artificial and only provide a "pseudo-circular close." See Amit, *Judges*, 353–56.

32 He then proceeds to note that the monarchic refrain is likely secondary and that Judg 19 seems "irrelevant" compared to the account of the civil war. Soggin, *Judges*, 279–83.

33 Ibid., 294.

while the "anti-monarchical" unit (chs. 20–21) belongs to a later edition, DtrN.[34] Regardless, he views the final form of 19–21 as edited into a coherent whole, noting that, "…the difficulty in the text arises on the one hand from its composite character…and on the other from its unitary impression…"[35]

Though writing almost a century ago, Charles Fox Burney details a separation of the editorial layers in Judg 19–21 which remains useful to us today. Unlike Moore and Gray, he bases his division of ch. 20 mainly on the different terminology used to indicate the Israelites. Besides the alternation between 'children of Israel' (*bənê Yiśrāʾēl*) and 'men of Israel' (*ʾîš Yiśrāʾēl*), Burney notes a third, and latest, editorial layer which uses 'people' (*ʿam*) to refer to the Israelites, though this distinction is less dramatic. As for Judg 21, he

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34 Ibid., 300–1. Thus, Soggin argues for a simultaneous reading of both a pro-monarchic and anti-monarchic stance. In his view, Judg 19 illustrates the need of a king, while Judg 20–21 suggests the uselessness of a monarchy in a tribal league.

Soggin follows the three-fold Smend school of Deuteronomistic divisions. DtrH indicates the first early exilic editing of the history, while DtrN is a later nomistic edition. In between the two redactors is a priestly redaction not originally outlined by Smend, DtrP. See Rudolf Smend, "Das Gesetz und die Völker: Ein Beitrag zur deuteronomistischen Redaktionsgeschichte," in *Probleme biblischer Theologie: Festscrift Gerhard von Rad* (ed. Hans Walter Wolff; Munich: Chr. Kaiser, 1971), 494–509; and Walter Dietrich, *Prophetie und Geschichte: Ein Redaktionsgeschichtliche Untersuchung zum Deuteronomistischen Geschichtswerk* (Göttingen: Vandenhoeck & Ruprecht, 1972), 133–34. For discussions of both the Smend and Cross schools, see Iain Provan, *Hezekiah and the Books of Kings: A Contribution to the Debate about the Composition of the Deuteronomistic History* (Berlin: De Gruyter, 1988); Steven L. McKenzie, *The Trouble with Kings: The Composition of the Books of Kings in the Deuteronomistic History* (Leiden: Brill, 1991); and Antony F. Campbell, SJ, "Martin Noth and the Deuteronomistic History," in *The History of Israel's Traditions: The Heritage of Martin Noth* (ed. Steven L. McKenzie and M. Patrick Graham; Sheffield: Sheffield Academic, 1994), 31–62.

35 Soggin, *Judges*, 301.

argues that the Shiloh section (Judg 21:15–24) is earlier than the account of Jabesh-Gilead.[36]

I prefer to use as a criterion for dividing the unit into separate stories the terminology that refers to the Israelites. In using this criterion, however, I do not mean to downplay the creativity of the author(s)/editor(s) of Judges. As anyone who has ever written anything of length knows, writers can often get stuck on certain words, to which the easiest solution is the use of synonyms. Perhaps the alternation between *bənê-Yiśrāʾēl* and *ʾîš Yiśrāʾēl* is nothing more than that.[37] Yet in this case, we know that ch. 20 contains multiple editorial strands; it simply cannot be understood otherwise. Thus, I propose the following division for Judg 20–21, which is based on Burney's division:[38]

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36 Burney, *The Book of Judges*, 445–55.

For a more recent discussion of basing the different strands in Judg 19–21 on the terminology for the Israelites, see Georg Hentschel and Christina Niessen, "Der Bruderkrieg zwischen Israel und Benjamin (Ri. 20)," *Biblica* 89 (2008): 17–38. They argue that the 'men of Israel' (*ʾîš Yiśrāʾēl*) strand is older. Following Milstein, I argue that this strand, which includes the account of Jabesh-Gilead in Judg 21, is actually the later addition. See Milstein, "Reworking Ancient Texts," 269–76. See also Uwe Becker, *Richterzeit und Königtum: Redaktionsgeschichtliche Studien zum Richterbuch* (Berlin: de Gruyter, 1990).

37 Using Mari evidence for comparison, Daniel Fleming argues that the phrase 'the sons of (a place)' signifies everyone who lives in that particular place while 'the men of (a place)' represents the group (of men) which has the capacity to make decisions, such as the elders. He urges us to consider this special decision-making use of 'the men of (a place)' when it appears in the Hebrew Bible. See Daniel E. Fleming, *The Legacy of Israel in Judah's Bible* (Cambridge: Cambridge University Press, 2012), 103 n. 38. For a discussion of the Mari evidence, see Daniel E. Fleming, *Democracy's Ancient Ancestors: Mari and Early Collective Governance* (Cambridge: Cambridge University Press, 2004), 180–90.

38 See Appendix B for a full version of my division of chs. 20 and 21. I only delineate two strands, unlike Burney's three, because I remain unconvinced by many of his arguments for what he calls "obvious" later glosses and using 'people' (*ʿam*) as an orienting

- Strand A (children of Israel): 20:1, 3–7, 12–16, 18–19, 21, 23–24, 25aβ–27a, 28aβ, 30–32, 33b–34a, 35aβ–36a, 45–46; 21:6, 17–24a
- Strand B (men of Israel): 20:11, 17, 20, 22, 25aβ, 29, 33a, 34b–35aα, 36b–44, 47–47; 21:1, 21:7–8, 10–14, 24b

The Dating of the Redactions

In their discussions of the different redactional layers in these chapters, both Burney and Moore belong to the school of thought which observe Pentateuchal sources beyond the first five books of the Hebrew Bible. Thus, they stretch what are usually considered Pentateuchal sources into Judges, especially the Yahwistic (J) and Elohistic (E) sources.[39] Moore, for example, suggests that the earliest layers of Judg 19–21 come from J and E, the earliest sources found in the Pentateuch (Genesis–Deuteronomy)/Hexateuch. This base story is later overlaid with "a stratum akin to the latest additions to the priestly history in the Hexateuch and to the Chronicles" in the post exilic period (4th century BCE).[40]

Burney notes that the editors of Judges had two older narratives upon which they based their later editions. These older traditions, according to Burney, bear considerable similarities to the old "Prophetical" narratives in the Hexateuch, J and E. He argues that since J and E are certainly composed long after the events they purport to describe, there

trope for a third strand. I leave out a few verses which I agree are later glosses, but hesitate to label them a separate strand. See Burney, *The Book of Judges*, 449–53.

39 Burney, *The Book of Judges*, xxxvii–xli. See also Budde, *Die Bücher Richter und Samuel*, xii–xv. Yet, while they consider the sources to Judg 19–21 to be early, they argue that this pericope is not added to the rest of Judges until the final editorial stage.

40 Moore, *Judges*, xxxi.

is no reason not to assume that their influence extends beyond Joshua and into Judges and 1 Samuel.[41] Noting the similarities between his Strand B (men of Israel) and the J-source conquest of Ai in Josh 8 leads him to assume that this strand also belongs to J, but to the latest pre-exilic stratum of J. While Judg 19:1–15 likely comes from J's counterpart E, Burney argues that Strand A cannot be attributed to E. Instead, as it also shows knowledge of J, and since the combination of Strand A and Strand B comes from a post-exilic Priestly redactor, Burney suggests that Strand A is a post-exilic text with an unknown source.[42] This final editor, according to Burney, is a Priestly editor working during the exile (6th century BCE).[43]

Thus, both Burney and Moore reject a Deuteronomistic editor(s) working on the text of Judges. The concept of a Hexateuch has fallen out of fashion, as has, in a way, even the concept of a Pentateuch. Ever since Martin Noth's publication of *Überlieferungsgeschichtliche Studien* in 1943, scholarship has increasingly focused on the editing of the Deuteronomistic History (abbreviated DH; Deuteronomy–2 Kings), at times even separating Deuteronomy from the Pentateuch, leaving only a Tetrateuch (Genesis–Numbers) in its wake.[44] This is not to say, however, that earlier sources, like J and E, are

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41 Burney, *The Book of Judges*, xxxviii.

42 Ibid., 455–58.

43 Ibid., l.

44 Martin Noth, *Überlieferungsgeschichtliche Studien* (Halle: M. Niemeyer, 1943). In his outline of editorial layers of DH, Noth understands Judg 17–21, along with Judg 1:1–2:5, as later insertions, although he does not systematically explain his decision. Robert O'Connell describes Noth's failure to address Judg 17–21 as a "noteworthy gap" in his study. See O'Connell, *The Rhetoric of the Book of Judges*, 359.

nowhere to be found in any of the writings of DH. The redactors of DH likely have earlier sources at their disposal and edit them to support the themes of their project, as I discuss below, and so to claim that the main editor is directly linked to J or E seems highly unlikely. In fact, Martin Noth argues that the first redactor of DH should be understood as a creative author in his own right.[45]

Many theories concerning the redactional layers of DH exist, but there are two main schools of thought, the Cross School and the Smend School, with different variations and modifications. I find Frank Moore Cross's theory of two redactional layers of DH—one during the Josianic reform (beginning *ca*. 631 BCE;[46] Dtr^1) and one during the exile (completed *ca*. 550 BCE;[47] Dtr^2)—most convincing.[48] Cross takes a broad view of DH to develop his theory, rather than focusing on the sentence level like Rudolf Smend,[49] tracing how various themes run throughout DH to reconstruct possible layers of composition. The Smend school, in contrast, details three different editorial strands: DtrH, DtrP, and DtrN.[50] Another benefit to the Cross school is the small number of redactions proposed. This stands

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45 Noth, *Überlieferungsgeschichtliche Studien*. See also Cross, *Canaanite Myth and Hebrew Epic*, 289; and Richard D. Nelson, "The Double Redaction of the Deuteronomistic History: The Case is Still Compelling," *JSOT* 29 (2005): 333.

46 Josiah ruled *ca*. 649–609 BCE, with his reforms beginning in his 18th year. See 2 Kgs 22:3.

47 Cross, *Canaanite Myth and Hebrew Epic*, 287.

48 See Ibid., 274–89.

49 Smend, "Das Gesetz und die Völker."

50 Smend originally argued for just two redactions: the early exilic DtrH/DtrG and DtrN, which is late exilic at the earliest. Walter Dietrich later added the middle priestly editor, DtrP. See Smend, "Das Gesetz und die Völker"; and Dietrich, *Prophetie und Geschichte*, 133–34.

in sharp contrast to those scholars who suggest a more complex series of editions, such as Helga Weippert,[51] or in the extreme, André Lemaire.[52]

Cross proposes a model of redaction that accounts for both the similarities and differences found throughout the DH. Working mostly from 1 and 2 Kings, Cross identifies two prominent themes in Dtr^1 which have two different theological stances. The first theme, "stemming from the old Deuteronomic covenant theology which regarded destruction of dynasty and people as tied necessarily to apostasy,"[53] views the sins of Jeroboam, who establishes cult centers at Dan and Bethel, as the critical event in the history of the northern kingdom of Israel which leads to its downfall.[54] Josiah and his cultic reforms stand as the climax of the second theme which is "drawn from the royal ideology in Judah: the eternal promises to David."[55] In fact, Dtr^1 stylizes Josiah as the ideal king who follows completely in the footsteps of his ancestor David and does not stray.[56]

The second redactor changes little of the first form of the DH, adding final chapters in Kings to bring it up to date and smaller elements throughout the text to make the history

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51 Helga Weippert, "Geschichten und Geschichte: Verheissung und Erfüllung im deuteronomistischen Geschichtswerk," in *Congress Volume: Leuven, 1989* (ed. J. A. Emerton; Leiden: Brill, 1991), 116–31.

52 André Lemaire, "Vers L'historie de la Rédaction des Livres des Rois," *ZAW* 98 (1986): 221–36.

53 Cross, *Canaanite Myth and Hebrew Epic*, 284.

54 Ibid., 279. Jeroboam is first mentioned in 1 Kgs 11:26 and made king over the northern tribes in 1 Kgs 12:20. He establishes the cult centers in 1 Kgs 12:29–30.

55 Ibid., 284. See 2 Sam 7 for a description of Yahweh's covenant with David.

56 See 2 Kgs 22:2; and Cross, *Canaanite Myth and Hebrew Epic*, 283.

more relevant to the situation the Israelites face in the exile.[57] The light touch of the secondary redactor gives the DH its distinctive tone, the muted hope for restoration that Hans Walter Wolff describes,[58] as compared to some of the other great works of the Babylonian exile with their ambitious hopes of restoration: the hope for the reestablishment of the eternal covenant and return to the land found in the Priestly works, the hope of a new exodus and conquest of the land as seen in Second Isaiah (40–55), and the hope of a new allotment of the land, a new Temple, and a new Davidic ruler in Ezekiel.[59]

Though most scholars place the main editing of Judg 19–21 at a late stage (exilic or post-exilic), following the Cross school of the division of DH's redactions, I suggest that the first redactor (Dtr^1) adds these final two stories to the rest of Judges, inserting the editorial monarchic refrain to tie the separate stories together.[60] Cross does not mention much about Judges in general, or about the monarchic refrain in particular, but his overarching conception of the formation of the DH supports this claim.

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57 Cross, *Canaanite Myth and Hebrew Epic*, 285; and Richard Elliott Friedman, *Who Wrote the Bible?* (San Francisco: Harper, 1997), 108.

58 Hans Walter Wolff, "Das Kerygma des deuteronomistischen Geschichtswerk," *ZAW* 73 (1961): 171–86.

59 Cross, *Canaanite Myth and Hebrew Epic*, 289.

60 For examples a post-monarchic dating for Judg 19–21, see Yairah Amit, "The Saul Polemic in the Persian Period," in *Judah and the Judeans in the Persian Period* (ed. Oded Lipschits and Manfred Oeming; Winona Lake, IN: Eisenbrauns, 2006), 647–48; Joseph Blenkinsopp, "Benjamin Traditions Read in the Early Persian Period," in *Judah and the Judeans in the Persian Period* (ed. Oded Lipschits and Manfred Oeming; Winona Lake, IN: Eisenbrauns, 2006), 638–43; and Philippe Guillaume, *Waiting for Josiah: The Judges* (London: T&T Clark, 2004), 204–6.

Since the monarchic refrain fits with the two themes of the first redactor (sins/apostasy of Jeroboam and promises/faithfulness of David) and does not relate specifically to the concerns of the exilic redactor, it is most likely attached to the source stories of Judges by Dtr[1].[61] While I agree with Gray that the monarchic refrain reflects the regulating influence of the monarchy on Israelite society in general, including on proper implementation of the cult, I disagree with his assessment that it belongs to the Bethel source, one of the two main sources he claims post-exilic Deuteronomistic editors combine.[62] I argue, instead, that it belongs with the shaping of the history by the redactor working during the time of Josiah's reform. The culmination of the first Dtr[1] theme, as I discuss above, is the reign of Jeroboam and his establishment of two golden calves at shrines, one each at both Dan and Bethel. Soon after, a prophet proclaims that a descendent of David named Josiah will destroy these shrines (1 Kgs 13:1–2). Later, Josiah does indeed destroy the sanctuary of Bethel (2 Kgs 23:4).

Thus, Dtr[1] connects Josiah to the cult centers at both Dan and Bethel, both of which also figure prominently in the two stories told in the appendices to Judges. Chs. 17–18 relate the establishment of a cult center in Dan, while the Israelites use Bethel as their base of operations both during the civil war (ch. 20) and during the reconciliation process (ch. 21). Bethel acts as the central sanctuary where the Israelites ask questions before God. With the added monarchic refrain, the inter-tribal bloodshed in the appendices is attributed to

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61 Indeed, given the exilic date of Dtr[2], the monarchic refrain with its desire for the governing force of the king proves problematic.

62 See Gray, *Joshua, Judges and Ruth*, 187.

the lack of the controlling influence of a Davidic king who properly regulates all aspects of society, including the Israelite cultus.[63] In fact, according to the Hebrew Bible, the centralization of the Israelite cult begins with the Davidic monarchy—David brings the ark back to Jerusalem (2 Sam 6), while Solomon builds the Temple (1 Kgs 6, 8). The Deuteronomist attempts to frame this otherwise successful story of the ability of the tribes to overcome inter-tribal fighting themselves as a negative story which illustrates the chaotic state of Israel before the establishment of the monarchy.

The setting of Dtr^1 in the south after the fall of the northern kingdom also supports locating the first edition of *The [Anti-] Benjaminite Novella* to this redactor. In the wake of the destruction of Israel, refugees fled to southern Judah, bringing with them some of their own texts, such as the E source of the Pentateuch.[64] In particular, the tribe of

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63 Remember that Dtr^1 comes from the Josianic reform which focuses on the centralization of worship in Jerusalem. While the monarchic refrain does not specifically mention the cult, it implies that the king will stop men from continuing to act incorrectly, which in Israelite society, includes ritual practices. In addition, the focus in both appendices on ritual elements, such as Levites, shrines, high places, and divination, suggests that concern over improper action before the monarchy extended to ritual life.

64 Magen Broshi argues that the archaeological evidence indicates a three- or four-fold increase in the size of Jerusalem around the end of the 8th century BCE. He attributes this increase to the influx of northerners to Judah after the collapse of Israel in 722 BCE. Magen Broshi, "The Expansion of Jerusalem in the Reigns of Hezekiah and Manasseh," *IEJ* 24 (1974): 21–26. See also J. Maxwell Miller and John H. Hayes, *A History of Ancient Israel and Judah* (2nd ed.; Louisville: Westminster John Knox, 2006), 390–91. Of course, Sennacherib's later campaign against Judah in the first two decades of the 7th century BCE causes wide-spread destruction in southern sites, as the archaeological evidence shows. See Nadav Na'aman, "Population Changes in Palestine Following Assyrian Deportations," *Tel Aviv: Journal of the Institute of Archaeology of Tel Aviv University* 20 (1993): 104–24. For a discussion of the setting and migration of the E sources, see Friedman, *Who Wrote the Bible?*, 87.

Benjamin, the focus of this pericope, is associated with both the north and the south in biblical texts, probably due to its location between Ephraim and Judah. The Song of Deborah, one of the earliest texts in the Hebrew Bible, links Benjamin with Ephraim (Judg 5:14), the epicenter of the northern kingdom, while Kings places it with Judah as soon as the kingdoms divide (1 Kgs 12:21–24).[65] Philip Davies argues that the centrality of Benjamin throughout the narratives of Israelite early history (Joshua–1 Samuel) suggests that Benjamin brought these stories with them when they switched allegiances to Judah after the destruction of the northern kingdom.[66] Thus, the reign of Josiah in the seventh century BCE presents a likely situation where a story concerned with the integration of Benjamin into the social system would have been especially relevant.

SCHOLARLY INTERPRETATIONS OF JUDGES 19–21

Much of the scholarship on Judg 19–21 focuses on a particular topic or section within the entire corpus. For example, Victor Matthews has two articles focused on the question of hospitality in Judges. His first article lays the groundwork for considerations of hospitality by outlining its protocol based on two proper examples found in Gen 18 and

65 On the other hand, 1 Kgs 12:20 states that only Judah remains loyal to King Rehoboam.

66 Philip R. Davies, "The Trouble with Benjamin," in *Reflection and Refraction: Studies in Biblical Historiography in Honour of A. Graeme Auld* (ed. Robert Rezetko, Timothy H. Lim, and W. Brian Aucker; Leiden: Brill, 2007), 93–111.

Nadav Na'aman notes that the archaeological record indicates that Benjamin is part of Judah at this point (8th and 7th centuries BCE), but uses the evidence from Kings to push this association back to the 9th century. See Nadav Na'aman, "Saul, Benjamin and the Emergence of 'Biblical Israel' (Part I)," *ZAW* 121: 216–17.

24, which he compares to the improper practice of hospitality by Jael and Sisera in Judg 4.[67] Using these rules of proper hospitality, Matthews then applies them to the parallel stories found in Gen 19 and Judg 19.[68] He argues that neither Lot in Sodom (Gen 19) nor the old Ephraimite man in Gibeah (Judg 19), as strangers (*gērîm*) in the cities themselves, have the *right* to offer hospitality to the travelers. Only citizens can, and in fact, should offer hospitality to travelers. *Gērîm*, by being permitted to dwell in the city as non-citizens, are actually already accepting the hospitality of its citizens.[69]

While remaining within the study of hospitality, some scholars focus more explicitly on the connection between the account with Lot and the angels/messengers of God in Sodom (Gen 19) and Judg 19. For example, Stuart Lasine, rather than suggesting that Lot's hospitality is mistaken, argues that Judg 19 "inverts" the hospitality offered by Lot in Gen 19, turning it into inhospitality, just as the (negative) actions of the Levite in

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67 Victor H. Matthews, "Hospitality and Hostility in Judges 4," in *BTB* 21 (1991): 13–21.

68 Victor H. Matthews, "Hospitality and Hostility in Genesis 19 and Judges 19," in *BTB* 22 (1992): 3–11.

69 I will discuss this topic in more depth in chs. 3 and 4. See also Koala Jones-Warsaw, "Toward a Womanist Hermeneutic: A Reading of Judges 19–21," in *A Feminist Companion to Judges* (ed. Athalya Brenner; Sheffield: Sheffield Academic, 1993), 174–76. For a general discussion of examples of hospitality in the Hebrew Bible, see Andrew E. Arterbury and William H. Bellinger, Jr., "'Returning' to the Hospitality of the Lord: A Reconsideration of Psalm 23,5–6," *Biblica* 86 (2005): 388–91.

Hospitality is a common theme in the ancient Near East. For example, one of the teachings of Amem-em-ope of Egypt (*ca*. 1250–1000 BCE) promises financial reward for offering hospitality. See Victor H. Matthews and Don C. Benjamin, *Old Testament Parallels: Laws and Stories from the Ancient Near East* (3rd ed.; Mahwah, NJ: Paulist, 2007), 293–302. Likewise, the Ugaritic story of Aqhat relates a tale of reward for hospitality. See Ibid., 70–79.

Judg 19 is an "inverse" of the (positive) actions of Lot's divine guests.[70] Susan Niditch also compares Gen 19 and Judg 19, but unlike many other scholars, she suggests that Judg 19 is the earlier version.[71]

In his article, Lasine discusses the connections between Judg 19 and 1 Sam 11, specifically the dismemberment of the Levite's *pîlegeš* (Judg 19:29) and Saul's dismemberment of the oxen (1 Sam 11:7). Again, this comparison serves to emphasize that the period before the monarchy was an "inverted world" in which "actions are often

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70 Stuart Lasine, "Guest and Host in Judges 19: Lot's Hospitality in an Inverted World," *JSOT* 29 (1984): 37–59. While the divine messengers actually save Lot's daughters, the Levite sacrifices his concubine in order to save his own skin.

Raphael Patai discusses the relationship between patriarchal hospitality and women's chastity in ancient Israel and travelers' reports of the Middle East from the 12th–19th centuries. He proposes a custom of sexual hospitality which sheds a light on the events of Gen 19 and Judg 19, where the host offers sexual access to women in order to safeguard his guests. See Raphael Patai, *Sex and Family in the Bible and the Middle East* (Garden City, NY: Doubleday, 1959), 139–45; and Thalia Gur-Klein, "Sexual Hospitality in the Hebrew Bible: Patriarchal Lineage or Matriarchal Rebellion," in *Patriarchs, Prophets and Other Villains* (ed. Lisa Isherwood; London: Equinox, 2007), 157–82.

71 Susan Niditch, "The 'Sodomite' Theme in Judges 19–20: Family, Community, and Social Disintegration," *CBQ* 44 (1982): 365–78. At the same time, Niditch, in agreement with Robert C. Culley, notes the difficulty of coming to a definitive conclusion on the connection between the accounts. See Robert C. Culley, *Studies in the Structure of Hebrew Narrative* (Missoula, MT: Scholars, 1976), 56–57.

Scholars typically argue that Judg 19 is dependent upon Gen 19. As I mention in my discussion on the dating of the redactions above, most scholars see Judg 19–21 as fairly late additions to the text. See Burney, *The Book of Judges*, 443–5; Lasine, "Guest and Host," 38–39; and Soggin, *Judges*, 282. Scholars often suggest that the Genesis story is primary because the virgin daughter of the Ephraimite disappears from Judg 19 after her initial brief mention in Judg 19:24. This, so the argument goes, indicates the dependence of Judg 19 on Gen 19, suggesting that the daughter only appears in Judg 19:24 because the source story has two women. See Milstein, "Reworking Ancient Texts," 273–4. I discuss the virgin daughter in more detail in ch. 4.

ludicrous, absurd, and self-defeating."[72] Other scholars discuss this connection, and others, found in Judg 19–21 to Saul, often noting how many sections of this story serve as polemic against Saul. For example, as I mention above, Sara Milstein argues that Judg 19:1–20:13 are added to an essentially pro-Saul story to change it into an anti-Saul tale.[73]

Like those interested in the anti-Saul aspect, feminist scholars frequently focus on the dismemberment of the Levite's *pîlegeš* in Judg 19, although they also venture into discussions of the rape of the *pîlegeš* (Judg 19) and the traffic of women from Jabesh-Gilead and Shiloh (Judg 21).[74] The civil war found in between these two stories of violence

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72 Lasine, "Guest and Host," 37.

73 Milstein, "Reworking Ancient Texts," 269–76. See also O'Connell, *The Rhetoric of the Book of Judges*, 297–304; Amit, *Judges*, 342–49; and idem, "Literature in the Service of Politics: Studies in Judges 19-21," in *Politics and Theopolitics in the Bible and Postbiblical Literature* (ed. Henning Graf Reventlow, Yair Hoffman, and Benjamin Uffenheimer; Sheffield: Sheffield Academic, 1994), 28–40 for a discussion of the anti-Saul polemic found in these chapters.

My title for this pericope, *The [Anti-] Benjaminite Novella*, hints at this anti-Saulide stance, as Saul is from the tribe of Benjamin. I choose to focus on the tribal affiliation, instead of the individual figure of Saul, because of the centrality of kinship relations in the society depicted in Judges.

74 See, for example, Phyllis Trible, *Texts of Terror: Literary-Feminist Readings of Biblical Narratives* (Philadelphia: Fortress, 1984), 64–91; Susanne Scholz, "Judges," in *Women's Bible Commentary* (3rd ed.; ed. Carol A. Newsom, Sharon H. Ringe, and Jacqueline E. Lapsley; Louisville: Westminster John Knox, 2012), 113–27; Danna Nolan Fewell, "Judges," in *Women's Bible Commentary* (2nd ed.; ed. Carol A. Newsom and Sharon H. Ringe; Louisville: Westminster John Knox, 1998), 73–83; Mieke Bal, *Death and Dissymmetry: The Politics of Coherence in the Book of Judges* (Chicago: University of Chicago Press, 1988); J. Cheryl Exum, "Feminist Criticism: Whose Interests Are Being Served?" in *Judges and Method: New Approaches in Biblical Studies* (2nd ed.; ed. Gale A. Yee; Minneapolis: Fortress, 2007), 65–89; Susan Ackerman, *Warrior, Dancer, Seductress, Queen: Women in Judges and Biblical Israel* (New York: Doubleday, 1998), 216–87; Schneider, *Judges*, 245–85; and Adrien Janis Bledstein, "Is Judges a Woman's Satire on

against women is often a blank space in feminist scholarship, considered only a result of one act of violence (rape and dismemberment) and the impetus for the second (kidnapping of women).[75] Since most feminist scholars focus on the violated female body, examples of feminist interpretation of Judg 19–21 will be discussed in more detail below with other scholarship on the body in the Hebrew Bible.[76]

Men who Play God?" in *A Feminist Companion to Judges* (ed. Athalya Brenner; Sheffield: Sheffield Academic, 1993), 55–71.

75 The second edition of *Judges: A Feminist Companion to the Bible* serves as an excellent example of this gap. Two articles cover this pericope, one on ch. 19 and one on ch. 21, with no serious attention paid to ch. 20. See Ilse Müllner, "Lethal Differences: Sexual Violence as Violence against Others in Judges 19," in *Judges: A Feminist Companion to the Bible (Second Series)* (ed. Athalya Brenner; Sheffield: Sheffield Academic, 1999), 126–42; and Alice Bach, "Rereading the Body Politic: Women and Violence in Judges 21," in *BibInt* 6 (1998), 1–19.

76 While these topics of scholarly investigation—hospitality and the violated female body—are the most relevant for my study, scholars focus on other aspects of Judg 19–21. One popular strand of analysis in the past few decades is ideological or rhetorical criticism, which looks to the ideological agenda of the redactor. See, for instance, O'Connell, *The Rhetoric of the Book of Judges*; Polzin, *Moses and the Deuteronomist*; and Gale A. Yee, "Ideological Criticism: Judges 17–21 and the Dismembered Body," in *Judges and Method: New Approaches in Biblical Studies* (2nd ed.; ed. Gale A. Yee; Minneapolis: Fortress, 2007), 138–60. While some scholars, such as O'Connell, use ideological criticism of Judg 19–21 to propose an anti-Saulide agenda, this criticism is not used exclusively for that argument. Postcolonial criticism has also arisen in recent years as a useful tool to discuss the women in the story as the "Other" in ancient Israelite society. See, for example, Müllner, "Lethal Differences," 126–42; and Uriah Y. Kim, "Postcolonial Criticism: Who is the Other in the Book of Judges?" in *Judges and Method: New Approaches in Biblical Studies* (2nd ed.; ed. Gale A. Yee; Minneapolis: Fortress, 2007), 161–82. While not all the essays in *Judges and Method* specifically address Judg 19–21, the book as a whole illustrates the various avenues of interpretation available to scholars today.

As I mention in the introduction, scholarly interpretation on this pericope in its entirety typically focuses on the supposed social disorder depicted.[77] Lillian Klein notes that Judg 19–21 depicts the "ethical collapse" of society, and that the book of Judges as a whole "devolves in disorder."[78] Tammi Schneider interprets the cyclical nature of Judges as one of "degenerative progression" which finds its apex in this final pericope.[79] Citing the monarchic refrain as evidence, these scholars claim that the appendices to Judges describe society's inevitable descent into anarchy when it lacks a king.[80] Burney, for example, suggests the editor inserts this refrain into the last two stories to indicate the low condition of religion and morality when Israel lacks a king.[81] Mayes succinctly argues that, "the refrain holds both stories together as evident illustrations of the religious and social anarchy to which Israel was subject without the centralizing control of the monarchic institution."[82]

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77 Frolov's title for these chapters illustrates this tendency succinctly: "Things Fall Apart." While I appreciate this nod, intentional or not, to Chinua Achebe's 1958 novel of the same name, such an understanding vastly simplifies the situation depicted in Judg 19–21. See Frolov, *Judges*, 301.

78 Klein, *The Triumph of Irony in the Book of Judges*, 161, 190.

79 Schneider, *Judges*, xii.

80 For example, see Moore's comment on the refrain. Moore, *Judges*, 369.

81 Burney argues for an exilic or post-exilic date for these insertions, a time which he interprets as being as disorganized as the period of the Judges. See Burney, *The Book of Judges*, 410–11.

82 Mayes, "Deuteronomistic Royal Ideology in Judges 17–21," 242. See also O'Connell, *The Rhetoric of the Book of Judges*, 229–67. While Boling describes Israel in Judg 19–21 as "utterly leaderless," he does not interpret these chapters as uncritically supporting the monarchy. He argues that the final editors still see Yahweh as the ultimate king, with earthly leaders requiring Yahweh's support. See Boling, *Judges*, 22–23; 277.

Yet at the same time, some scholars note that this regulatory claim of the monarchic refrain does not seem to fit Judg 19–21 as well as it does Judg 17–18, a truly chaotic story.[83] For example, Mayes notes that many common elements in these stories—the refrain, the Levite, the theme of anarchy—are essential to Judg 17–18, but not to Judg 19–21.[84] This fact leads scholars to wonder whether the refrain is more original to 17–18, which a later editor places as bookends onto Judg 19–21 when adding the second tale to Judges in order to create a link between these final two stories.[85] Martin Noth, for example, argues that while the monarchic refrain is integrated in the text of Judg 17–18, it simply brackets Judg 19–21, which suggests that the latter are secondary additions.[86]

Regardless as to when one places the addition of these chapters to Judges,[87] the monarchic refrain is clearly added by an editor to tie together disparate stories within the appendices. By themselves, these stories do not originally contain such a pro-monarchic slant.[88] For example, in her recent Old Testament Library commentary on Judges, Susan

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83 See, for example, Soggin, *Judges*, 280.

84 Mayes, "Deuteronomistic Royal Ideology in Judges 17–21," 254–55. Yet, as I mention above, Mayes connects Judg 19 and 21:25 to 17–18, with Judg 20:1–21:24 as later additions.

85 See, for example, Amit, *Judges*, 340–1; and Soggin, *Judges*, 280–1.

86 Noth, "The Background of Judges 17–18," 79.

87 As I mention above, scholars have argued for both an early and late time period for the addition of these stories. For examples of the early argument, see Gray, *Joshua, Judges and Ruth*; and Yee, "Ideological Criticism." For examples of the late argument, see Boling, *Judges*; Moore, *Judges*; and Burney, *The Book of Judges*.

88 As Yairah Amit additionally notes, the negative events depicted in Judg 19–21 do not disappear with the presence of a king. For example, the rape of Tamar by her half-brother Ammon in 2 Sam 13 leads to fratricide and an attempted military coup. See Amit, "Editorial Considerations Regarding Ending," 147–48.

Niditch mentions that the offering of women makes it possible, through the eyes of the men, for the Benjaminite War to end in peace.[89] Expanding on her brief comment, I suggest that the exchange of women created a peaceful resolution of the two factions of men through the reestablishment of kinship loyalties.[90] As a result, rather than viewing Judg 19–21 as a story which points toward the inevitable rise of the kingship, I argue that, through the traffic in women, this story describes the success of the society depicted in Judges in overcoming their inter-tribal conflicts. This project takes as its starting point my conclusion from "Sealed with a Virgin," arguing that the story of disorder (ch. 19–20) resulting in a return to order (ch. 21) of ancient Israelite society is founded on the proper regulation of bodies.

SCHOLARSHIP ON THE BODY IN THE HEBREW BIBLE

Though interest in the body in academia has increased over the past few decades, especially in anthropology and sociology, little attention has been paid to it in the field of biblical studies.[91] Scholarship on the body in the Hebrew Bible has primarily fallen into

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89 Susan Niditch, *Judges: A Commentary* (Louisville: Westminster John Knox, 2008), 210–11.

90 Megan Lindsey Case, "Sealed with a Virgin: Reconciliation through the Exchange of Women in Judges 21" (M.A. report, The University of Texas at Austin, 2013).

91 On some occasions where the body is discussed, it is often done so uncritically, resulting in confusion over the very concept of 'the body' as a theoretical tool. See, for example, the various essays in Timothy K. Beal and David M. Dunn, eds., *Reading Bibles, Writing Bodies: Identity and the Book* (London: Routledge, 1997). Jennifer Koosed attempts a reading of the construction of Qoheleth's body in Ecclesiastes. She shows sensitivity to the complexity of "the body," but her analysis, for the most part, illuminates Qoheleth's body as it relates to the text and the bodies of the readers. See Jennifer J. Koosed, *(Per)mutations of Qoheleth* (New York: T&T Clark, 2006).

two major categories: discussions of purity laws and proper bodily practices, and discussions of rape.[92] Anthropologist Mary Douglas briefly discusses the regulation of the

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One growing sub-field of biblical studies which explores the body, to varying degrees of success, is disability studies. See, for example, Jeremy Schipper, *Disability studies and the Hebrew Bible: Figuring Mephibosheth in the David Story* (New York: T&T Clark, 2006); idem, "Embodying Deuteronomistic Theology in 1 Kgs 15:22–24," in *Bodies, Embodiment, and Theology of the Hebrew Bible* (ed. S. Tamar Kamionkowski and Wonil Kim; New York: T&T Clark, 2010), 77–89; Rebecca Raphael, *Biblica Corpora: Representations of Disability in Hebrew Bible Literature* (New York: T&T Clark, 2008); and Candida R. Moss and Jeremy Schipper, eds., *Disability Studies and Biblical Literature* (New York: Palgrave Macmillan, 2011).

92 A 2014 volume which arose from a recent symposium on the body in early Jewish and Christian writings includes three chapters relating to the Hebrew Bible. Even here the focus remains on purity and sex; two of the three essays discuss correct bodily actions based on Levitical codes. See Sandra Jacobs, "The Body Inscribed: A Priestly Initiative?" in *The Body in Biblical, Christian and Jewish Texts* (ed. Joan E. Taylor; London: Bloomsbury T&T Clark, 2014), 1–16; and Steffan Mathias, "Queering the Body: Un-Desiring Sex in Leviticus," in *The Body in Biblical, Christian and Jewish Texts* (ed. Joan E. Taylor; London: Bloomsbury T&T Clark, 2014), 17–40. The third examines the relation of the bodies in Ezek 37:1–14 to ethnic identity. While this essay helps fill a lacuna in scholarship on this passage, it focuses on the metaphorical use of bodies to support the nationalistic aims of the author. See C. A. Strine, "Ritualized Bodies in the Valley of Dry Bones (Ezekiel 37.1-14)," in *The Body in Biblical, Christian and Jewish Texts* (ed. Joan E. Taylor; London: Bloomsbury T&T Clark, 2014), 41–57. For another recent example of the body related to purity, see Thomas Kazen, "Dirt or Disgust: Body and Morality in Biblical Purity Laws," in *Perspectives on Purity and Purification in the Bible* (ed. Naphtali S. Meshel et al.; New York: T&T Clark, 2008), 43–64. See also Hilary Lipka, "Profaning the Body: חלל and the Conception of Loss of Personal Holiness in H," in *Bodies, Embodiment, and Theology of the Hebrew Bible* (ed. S. Tamar Kamionkowski and Wonil Kim; New York: T&T Clark, 2010), 90–113; and Eve Levavi Feinstein, "Sexual Pollution in the Hebrew Bible: A New Perspective," in *Bodies, Embodiment, and Theology of the Hebrew Bible* (ed. S. Tamar Kamionkowski and Wonil Kim; New York: T&T Clark, 2010), 114–45.

Fiona Black's work, while not analyzing rape specifically, tends to focus exclusively on the sexual aspects of bodies. Also, her use of the 'grotesque body' frequently remains a literary and symbolic device in the vein of Mikhail Bakhtin or Roland Barthes. See Fiona C. Black, "Beauty or the Beast? The Grotesque Body in the Song of Songs," *BibInt* 8 (2000): 302–23; and idem, *The Artifice of Love: Grotesque Bodies in the Song of Songs* (New York: T&T Clark, 2009).

body in society, though she does not often use the phrase, in her consideration of purity laws in Leviticus and Deuteronomy.[93] Douglas comments that dirt, i.e., "matter out of place," is not an isolated event, but is "the by-product of a systematic ordering and classification of matter," and thus is part of a system, in this case, a social system.[94] Though scholars have continually questioned and refined her arguments, her study remains important to biblical studies to this day. I find that Douglas does not give adequate analysis to the practical and daily regulation of individual material bodies such as those described in Judg 19–21. Due to her interest in the symbolic element of these purity laws for society, Douglas focuses too much on the entire system of clean/unclean and not enough on how individual bodies fit into this system.[95] In another critique, Saul Olyan argues that Douglas conflates lack of wholeness with impurity, two concepts which do not necessarily always correspond, yet he still finds her purity/wholeness paradigm constructive.[96]

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93 Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (New York: Routledge, 1984 [1966]).

94 Ibid., 42–58.

95 One of the few monograph-length studies which analyze the body follows Douglas's symbolic approach, failing to sufficiently consider material bodies. See Thomas Staubli and Silvia Schroer, *Body Symbolism in the Bible* (Collegeville, MN: Liturgical, 2001). An important aspect of my study is to ground my investigation in the particulars of one specific account of the control over bodies exercised in ancient Israel.

96 See Saul M. Olyan, "Mary Douglas's Holiness/Wholeness Paradigm: Its Potential for Insight and Its Limitations," *The Journal of Hebrew Scriptures* 8 (2008): 2–9; and idem, "Why an Altar of Unfinished Stones? Some Thoughts on Ex 20,25 and Dtn 27,5–6," *ZAW* 108 (1996): 161–71. For other examples of scholars modifying this paradigm, see Jacob Milgrom, *Leviticus 23–27* (New York: Doubleday, 2000), 1978–79; and Francesca Stavrakopoulou, "Making Bodies: On Body Modification and Religious Materiality in the Hebrew Bible," *Hebrew Bible and Ancient Israel* 2 (2013): 532–53.

Susan Niditch uses the paradigm to understand the proscription of hair-cutting by priests in *"My Brother Esau is a Hairy Man": Hair and Identity in Ancient Israel*, one of the few book-length engagements with the body in the field of Hebrew Bible, suggesting that priests' holiness requires wholeness of hair.[97] Instead of focusing on a particular story, Niditch examines one individual body element, hair, and its depiction throughout the Hebrew Bible and extrabiblical material. She notes that hair helps scholars to explore both culture and identity in ancient Israel, arguing that studying hair, a complex symbol[98] derived from the body, "reveals attitudes toward gender, ethnicity, holiness, beauty, leadership, and economic status."[99] However, Niditch does not suggest that hair simply expresses cultural notions, but instead shapes and reinforces these norms.[100]

Mark W. Hamilton's book *The Body Royal* is a more recent study focused on whole material bodies in ancient Israel.[101] In it, he discusses the living bodies of kings in both biblical and extra-biblical texts. While his book centers on the body of the king, which in many ways could be considered an exceptional body,[102] and thus not a direct analogue to

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97 Susan Niditch, *"My Brother Esau is a Hairy Man": Hair and Identity in Ancient Israel* (Oxford: Oxford University Press, 2008), 106–07.

98 Many scholars have noted the polysemous nature of symbols. For a brief overview, see Mari Womack, *Symbols and Meaning: A Concise Introduction* (Walnut Creek, CA: AltaMira Press, 2005).

99 Niditch, *Hairy Man*, 140.

100 Ibid., 5.

101 Mark W. Hamilton, *The Body Royal: The Social Poetics of Kingship in Ancient Israel* (Leiden: Brill, 2005).

102 Jasbir Puar discusses how the term "exceptional" can signal both "distinction from" as well as "excellence." I use the term here with that dual definition in mind. See

the everyday bodies in my study, Hamilton's study serves as an example of the careful research needed on this topic, viewing the body not only within a social system, but as a social unit itself, thus constantly changing, just as culture is ever-changing.[103]

Bodies, at least female bodies, have been also an object of study for feminist biblical scholars in recent decades. Since Phyllis Trible's publication of *Texts of Terror* in 1984,[104] many feminist scholars have devoted considerable analysis to discussions of rape in the Hebrew Bible, including the rape of the Levite's *pîlegeš* in Judg 19 and the kidnapping of wives for the Benjaminites in Judg 21. For example, J. Cheryl Exum comments on how female characters in the Hebrew Bible, such as the *pîlegeš*, are raped not only by characters in the story, but also by the pen, by the biblical authors.[105] In her

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Jasbir K. Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham, NC: Duke University Press, 2007).

103 In this way Hamilton's study stands in contrast to Jon Berquist's earlier study on the body of ancient Israel which primarily views the body as static. Berquist also focuses almost exclusively on sexuality. This aspect of bodies remains important for my study, but to the exclusion of wider analysis. See Jon L. Berquist, *Controlling Corporeality: The Body and the Household in Ancient Israel* (New Brunswick, NJ: Rutgers University Press, 2002).

104 Trible, *Texts of Terror*, 64–91.

105 J. Cheryl Exum, *Fragmented Women: Feminist (Sub)versions of Biblical Narratives* (Sheffield: Sheffield Academic, 1993), 170–201.

Trible argues that the editor does indeed offer judgment on the rape of the Levite's *pîlegeš* through the monarchic refrain. As I mention above, however, Judg 19–21 actually presents a success story of pre-monarchic government. Furthermore, it is unclear whether the editor who added this pro-monarchic notice means to refer to the actions perpetrated against the Levite's *pîlegeš* specifically, or to the story as a whole. The framing location of the refrains suggests the latter. In that case, perhaps the editor is not condemning the rape of the Levite's *pîlegeš* as much as the response of the Israelites which led to civil war and the near extinction of Benjamin. Regardless, the editor does not offer any explicit disapproval of the violence against any of the women in Judg 19–21. See Trible, *Texts of Terror*, 84, for her discussion of the editor's response to the story of the Levite's *pîlegeš*.

recent detailed discussion of rape in the Hebrew Bible, Susanne Scholz devotes an entire chapter to the rape of the Levite's *pîlegeš* and the capture of the virgin women for the Benjaminites.[106] Alice Keefe uses three rape scenes, including Judg 19, to illustrate how a woman's violated body serves as a metonym for the disrupted, we could say disordered, social body as a result of war.[107] Following this trend, Alice Bach discusses the rape of women during wartime in Judg 21 in relation to then-current practices in war-torn Bosnia.[108] In *Death and Dissymmetry*, Mieke Bal asserts the centrality of stories of sexual violence against women, such as the women in both Judg 19 and 21, to the political and ideological coherence of the book as a whole.[109] Jo Ann Hackett notes the interconnectedness of many of the stories involving violence against women in Judges, including the *pîlegeš* in Judg 19 and the virgins in Judg 21, describing "an underlying system of meaning that sees in women's bodies a substitute for a unified Israel."[110] In a similar vein, Gale Yee discusses how the cutting up of the body of the Levite's *pîlegeš* serves as a metaphor for the cutting up of the "body" of the tribes.[111] While these scholars, and others, have made important contributions to feminist interpretations of the Hebrew

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106 Susanne Scholz, *Sacred Witness: Rape in the Hebrew Bible* (Minneapolis: Fortress, 2010), 135–56.

107 Alice A. Keefe, "Rapes of Women/Wars of Men," *Semeia* 61 (1993): 79–97.

108 Bach, "Rereading the Body Politic," 1–19.

109 Bal, *Death and Dissymmetry*.

110 Jo Ann Hackett, "Violence and Women's Lives in the Book of Judges," in *Int* 58 (2004): 364.

111 Yee, "Ideological Criticism." I discuss the fragmented body in ch. 4.

Bible, they tend to focus on either the violation of female bodies or the metaphorical use of that body.

Howard Eilberg-Schwartz also addresses bodies, specifically male bodies and the construction of masculinity in ancient Israel. Noting that feminist theorists tend to conflate human and divine masculinity into one undifferentiated symbol, Eilberg-Schwartz attempts to fill this scholarly lacuna by looking at the image of God's male body throughout the Hebrew Bible and in early Jewish interpretation.[112] In the end, his interest lies not so much in the actual depictions, or as I might say, the constructions of God's body, but rather why the biblical authors/editors carefully veil the form of God's body whenever they describe it. Because of this focus, he mainly remains in the realm of symbolic interpretation.[113]

Eilberg-Schwartz is among those scholars who have begun to provide a corrective to the sole interest on women, female bodies, and female sexuality prevalent in feminist interpretations of the biblical material.[114] In this study, I continue this trend of widening the scope when considering gendered bodies. While my study examines the violated, or improperly regulated, female body, as many feminist scholars do, I additionally focus on how the proper regulation of bodies ordered the society depicted in Judges, taking into consideration not only control of female bodies, but also of male bodies. While male and

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112 Howard Eilberg-Schwartz, *God's Phallus: And Other Problems for Men and Monotheism* (Boston: Beacon, 1994), 72–73.

113 Ibid., 75.

114 See also, for example, the various essays in Ovidiu Creangă, ed., *Men and Masculinity in the Hebrew Bible and Beyond* (Sheffield: Sheffield Phoenix, 2010).

female bodies are conceptualized and managed differently, there still exist proper regulations for both.

INTRODUCTION TO PROJECT

Before moving to the main body of my study, I would like to take a moment to discuss two other aspects of my project. In particular, I need to address my understanding of the historical value of the material found in Judg 19–21, as this influences my interpretation of these chapters. Additionally, I briefly describe the methodology I employ throughout this work. Outlining my method is not only necessary to help readers follow my arguments, but can benefit those scholars who wish to employ a similar methodology, or improve my methodology, in their own work. I conclude this introduction with a brief outline of the remaining chapters.

Historical Caveat

It is important to point out that, though I argue this story describes the success of the so-called pre-monarchic government, I am not suggesting we read these stories as historical accounts. While the present form may contain some elements which are more ancient than others, the writing and editing process of these chapters likely occurred well after the time in which the narrative places the events (*ca*. 12th–11th centuries BCE). My attribution of this story to Dtr[1] conservatively places its redaction to the reign of Josiah (641–609 BCE), yet the majority of scholars date it to the exilic (6th century BCE) or post-

exilic periods (starting at the end of the 6th century BCE).[115] While the source texts, of course, precede this 7th century redaction, we have no evidence to suggest they date to the time they portray. The earliest texts found in the Hebrew Bible, such as the Song of Deborah (Judg 5) or the Song of Miriam (Exod 15), have a distinct poetic style not present in *The [Anti-] Benjaminite Novella*.[116] Additionally, this pericope presents an obviously idealized account of pre-monarchic Israel. For example, all twelve tribes work in concert and the numbers of warriors on both sides in Judg 20 are certainly exaggerated.

The uncertainty about the historicity of Judg 19–21 has been raised by scholars since the beginnings of the modern academic study of the Hebrew Bible. The 19th century scholar Julius Wellhausen, for example, not only doubts the historicity of these chapters, but suggests they actually go against everything we know about the time of the judges.[117] On the other hand, Martin Noth, while recognizing the extensive editing found in this

115 See my discussion on dating above.

116 See Niditch, *Judges*, 76–77, for a discussion of the poetic style of Judg 5. In their analysis of Miriam's Song, Frank Moore Cross and David Noel Freedman argue for a *terminus ad quem* for the written composition of the poem in the 10th century BCE, suggesting that its oral composition occurs sometime during the period of the judges. See Frank Moore Cross and David Noel Freedman, *Studies in Ancient Yahwistic Poetry* (Grand Rapids, MI: Eerdmans, 1975), 31–33.

117 Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments* (4th ed.; Berlin: Walter de Gruyer, 1963), 229–32. He argues for a postdeuteronomistic attribution for Judg 1:1–2:5 and 17–21.

pericope, nevertheless uses it as a prime example of his amphictyony hypothesis, the twelve-tribe system he argues is the pre-monarchic form of government in ancient Israel.[118]

More recently, other scholars have found this question of historicity less essential to their analyses of this narrative. For example, while discussing the historical accuracy of the Song of Deborah (Judg 5), Lawrence Stager argues that whether the poet accurately recounted historical events or simply created them does not matter. He notes that, regardless, "For the past events of the Song of Deborah to ring true, the poet must have passed the test of verisimilitude, having grounded his story in setting and circumstance that seemed plausible to his contemporary audience."[119] Likewise, Paul Keim argues that the editorial activity "does not undermine its value as a credible expression of social relations in the pre-monarchic period."[120] For his discussion of the function of the curse in ancient Israelite society, he finds the "consistent operation of established social institutions" in Judg 19–21 most important.[121]

I, too, find the question of historicity less than helpful for my study. The fact that the stories are preserved as part of the collective cultural memory of the Israelites as a

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118 Martin Noth, *Das System der zwölf Stämme Israels* (Darmstadt: Buchgesellschaft, 1966), 162–170. I discuss Noth's amphictyony hypothesis in more detail in ch. 3.

119 Lawrence E. Stager, "Archaeology, Ecology, and Social History: Background Themes to the Song of Deborah," in *Congress Volume 1986* (ed. J. A. Emerton; Leiden: Brill, 1988), 224.

120 Paul Arden Keim, *When Sanctions Fail: The Social Function of the Curse in Ancient Israel* (Ph.D. diss., Harvard University, 1992), 37–38.

121 Ibid., 38.

people is much more significant than any possible historical value they might have. Whether or not these stories report any actual historical truths, they are remembered as foundational, at least to the group(s) of people who wrote/edited the text. Concerning the pre-monarchic stories about ancient Israel (Gen 12–Judg), Niditch notes that while these stories are not likely historical, though some are certainly quite old, "Israel saw itself in terms of these stories from pre-monarchic times."[122] In other words, the ancient Israelite writers/editors see their identity as a people as having been shaped by these stories. Certainly Judg 19–21 presents an idealized view of pre-monarchic Israel, but regardless of historical accuracy, we can understand these stories as the collective memory of the ancient Israelites and, therefore, representative of their perceived social world before the rise of the monarchy.[123]

Methodology

In this study, I employ a decidedly comparative and multi-disciplinary approach. As my discussion on the dating and editorial strands of Judg 19–21 indicates, my scholarship remains grounded in the historical-critical approach of the Hebrew Bible. Yet the study of the body necessitates moving beyond biblical scholarship, as this subfield is

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122 Niditch, *Hairy Man*, 19.

123 For this reason, I will continue to use the phrase "pre-monarchic" to refer to the time period depicted in Judg 19–21. My use of this label does not mean I interpret this pericope as a historical account of pre-monarchic Israel, but rather that the Israelites *remember* this story as part of their formative period before the advent of the monarchy.For more on collective memory, Jan Assman, *Religion und kulturelles Gedächtnis: zehn Studien* (Munich: C.H. Beck, 2000); or Maurice Halbwachs, *Les cadres sociaux de la mémoire* (Paris, Presses Universitaires de France, 1952).

still in its nascent stages. Anthropological and sociological literature on the body not only offers a strong theoretical foundation for my study, but helps to fill in any potential gaps in the ancient Israelite material I have at my disposal.

In my earlier study on the exchange of women in Judg 19, I add social scientific theory to historical criticism with much success.[124] I use Marcel Mauss's concept of gift exchange and its development in the anthropological kinship theories of Claude Lévi-Strauss.[125] I also engage with later critiques of Lévi-Strauss by other anthropologists and feminist scholars, such as Gayle Rubin.[126] In addition, I discuss anthropological theories concerned with the kidnapping of wives, as well as kinship theories, to help understand the processes of marriage and kinship in the Hebrew Bible.[127] In this study, I will engage with

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124 Case, "Sealed with a Virgin."

125 Marcel Mauss, *The Gift* (trans. W.D. Halls; London: Cohen & West, 1954; reprint, London: Routledge, 1990). For the French version, see idem, "Essai sur le don," in *Sociologie et Anthropologie* (Paris: Presses Universitaires de France, 1950 [1923–24]), 145–279. Claude Lévi-Strauss, *The Elementary Structures of Kinship* (trans. James Harle Bell, John Richard von Strumer, and Rodney Needham; Boston: Beacon, 1969). For the French, see idem, *Les Structures élémentaires de la parenté* (Berlin: de Gruyter, 2002 [1947]).

126 For a feminist critique, see Gayle Rubin, "The Traffic in Women: Notes on the "Political Economy" of Sex," in *Toward an Anthropology of Women* (ed. Rayna R. Reiter; New York: Monthly Review, 1975), 157–210. For critiques of both Lévi-Strauss and structural anthropology see Dan Sperber, *Explaining Culture: A Naturalistic Approach* (Oxford: Blackwell, 1996), 46–47; and John J. Honigmann, *The Development of Anthropological Ideas* (Homewood, IL: Dorsey, 1976), 322. For a feminist critique, see Gayle Rubin, "The Traffic in Women: Notes on the "Political Economy" of Sex," in *Toward an Anthropology of Women* (ed. Rayna R. Reiter; New York: Monthly Review, 1975), 157–210.

127 For discussions of kidnapping wives, see, for example, Daniel Bates, Francis Conant, and Ayse Kudat, "Introduction: Kidnapping and Elopement as Alternative Systems of Marriage," *AQ* 47 (1974), 233–37; and Barbara Ayres, "Bride Theft and

some of these same scholars, but have greatly expanded my theoretical base to include social-scientific theories about the control of bodies and its connection to social order. By using this multi-disciplinary approach, my project is useful for not only biblical scholars, but also other scholars interested in the theoretical study of the body. My approach facilitates my overall arguments that (1) Judg 19–21 depicts a success story of pre-monarchic Israel and (2) literature on the body needs to be used by biblical scholars illuminate the text in different ways.

Outline of Chapters

Chapter 2 is the first of two theoretical chapters. In this chapter, I consider pertinent scholarship on the construction and regulation of bodies, in particular on how some societies focus their power on the control of bodies. The majority of texts considered will be anthropological and sociological texts. While these studies differ temporally and geographically from the story recounted in Judg 19–21, the theories suggested through

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Raiding for Wives in Cross-Cultural Perspective," *AQ* 47 (1974), 238–52. Both of these articles appear in a special edition of *AQ* devoted to the topic, based on the Symposium on Kidnapping and Elopement as Alternative Systems of Marriage held at the 71st Annual Meeting of the American Anthropological Association (AAA) in 1972.

For discussions of kinship practices in the Hebrew Bible, see, for example, Lawrence E. Stager, "The Archaeology of the Family in Ancient Israel," *BASOR* 260 (1985), 1–35; Robert Wilson, *Sociological Approaches to the Old Testament* (Philadelphia: Fortress, 1984); Terry J. Prewitt, "Kinship Structures and the Genesis Genealogies," *JNES* 40 (1981), 87–98; and Robert A. Oden, Jr., "Jacob as Father, Husband, and Nephew: Kinship Studies and the Patriarchal Narratives," *JBL* 102 (1983), 189–205.

anthropology and sociology can help us interpret the social organization depicted in the text.[128]

I discuss the kinship systems and marriage practices portrayed in the Hebrew Bible in **Chapter 3**, focusing on the function of the body in pre-monarchic Israelite society. The first reason societies must control bodies is so that the society can reproduce itself every generation.[129] In the most literal sense, then, societies must place regulations over the exchange of bodies, often through marriage, in order to produce offspring. Thus, control of bodies for reproduction results in regulations over proper marriageable populations, settlement practices, inheritance patterns, and over the acceptable number of spouses. Beyond these marriage practices, the control of bodies in terms of kinship practices is especially important in governmental structures without a single central figure, such as a king, as depicted in Judg 19–21.

Having established the theoretical underpinnings of my dissertation, I turn in **Chapter 4** to the text of Judges itself. In particular, I consider how the improper regulation of bodies results in a breakdown in the social order in Judg 19–20. Several elements will be considered in this section, including issues of hospitality, sexual possession, and warfare. My final chapter, **Chapter 5**, explores the resolution to the social disorder

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128 Naomi Steinberg reminds us that using social-scientific criticism can help biblical scholars avoid the trap of "ethnocentrism," or reading the text based on our own culture. Naomi Steinberg, "Social-Scientific Criticism: Judges 9 and Issues of Kinship," in *Judges and Method: New Approaches in Biblical Studies* (2nd ed.; ed. Gale A. Yee; Minneapolis: Fortress, 2007), 46–64.

129 Philip Smith and Alexander Riley, *Cultural Theory: An Introduction* (Oxford: Blackwell, 2009), 263.

achieved by returning to proper management of bodies in Judg 21. The most obvious example of this correct control of bodies is the exchange of women for marriage with the Benjaminites. While some scholars focus on the violence against women depicted in this account, I will instead consider the appropriateness of these exchanges performed by men who are both victors in an armed conflict and heads of household in a patriarchal social system, two roles affecting which male and female bodies they have a right to control.[130] In my conclusion, I will address what my project brings to previous scholarship, as well as address potential areas for further research.

130 For an example of scholarship focused exclusively on violence against women, see Trible, *Texts of Terror*. Though I do not focus on the violation of these virgin bodies in Judg 21, I do not want to completely ignore it. Trible was right in declaring the problematic nature of this story, especially for today's readers. My study, however, emphasizes the important role these women play in the story, and thus hopefully moves them away from the purely victim status to which many feminist scholars have relegated them. For a critique of Trible's analysis, see Jones-Warsaw, "Toward a Womanist Hermeneutic," 179–82.

Chapter 2: Concerning Bodies

The [Anti-] Benjaminite Novella (Judg 19–21) is a prime example of the Hebrew Bible's preoccupation with how humans interact with one another, with the world around them, and with the divine. Given its focus, in order to better understand this text, and others like it, biblical interpreters need to thoroughly consider the embodied form.[131] While I broadly contend in my present study that Judg 19–21 presents a success story of pre-monarchic Israel, I ground my argument on a careful analysis of the bodies depicted in the pericope, focusing especially on the proper and improper regulation of these bodies. Scholars typically do not apply the social-scientific literature discussed in this chapter to the study of the Hebrew Bible, as I mention in my Introduction. By disregarding this material, one critical aspect of the biblical text fails to receive proper analysis: the social aspect. Biblical scholars need to bring this literature into their research because it draws embodied persons to the forefront of their analyses and casts the biblical material in a new light, as I show in this study.

In this chapter, I outline several theoretical concepts concerning the body relevant to my analysis of Judg 19–21. I first examine my understanding of the term 'the body' as relevant to ancient Israelite society. Though the body is perhaps the only universal human element—all humans have bodies—we conceptualize bodies in various, and at times contradictory, ways. Far from being "natural," the very concept requires scrutiny and

131 As sociologist Bryan S. Turner argues, to be a social agent, one must have a body. See Bryan S. Turner, *Regulating Bodies: Essays in Medical Sociology* (London: Routledge, 1992), 76.

definition. I then turn specifically to the relationship between bodies and society, considering how the body contributes to both the shaping and the maintenance of society, as well as the threat bodies pose to the deterioration of society. Within this section, I expressly address the place of female bodies within society, a topic especially important when investigating patriarchal societies such as that found in the Hebrew Bible. From my discussion of the body and society, I move to techniques of power over bodies, specifically Michel Foucault's concepts of the *docile body* and the surveillance of bodies.[132] Finally, since bodies are not static, but rather grow and change and interact with the world, I examine theories concerning performativity and agency.[133] I conclude this chapter with a brief discussion of the unique difficulties to reading bodies in the Hebrew Bible.

The literature presented in this chapter helps me to marshal the body as a theoretical concept which I can then apply to my interpretation of Judg 19–21. It allows me to create a more nuanced picture of biblical bodies than is frequently found in other interpretations. The bodies I investigate are not simply clean or unclean, to which they are often reduced in discussions of ritual purity, as I mention in ch. 1. The bodies of my study are living bodies which interact with the world; society influences them and they influence society.

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132 While mentioning Foucault has become vogue in recent decades, perhaps to the point of now becoming gauche, I utilize these two concepts because they illuminate the bodies in this text and their regulation in ways other concepts do not. The docile body especially relates to the patriarchal, tribal society depicted in Judges, as I discuss below and in ch. 4.

133 The latter is especially important for my analysis of *The [Anti-] Benjaminite Novella*, primarily because alternative conceptions of agency facilitate my attempts to interpret the women in this story as more than mere victims, as scholars typically cast them.

They conform to assigned gender roles and reject assigned gender roles. They exist in a society where the male head of household, the *paterfamilias*, closely oversees bodies, both male and female.[134] When these bodies are improperly regulated, society falls apart; when bodies once again are controlled properly, peace and normalcy returns to society. Thus, in essence, the story of *The [Anti-] Benjaminite Novella* is the story of bodies.

THE CONCEPT OF THE BODY

One might ask the question, why the body? What can a detailed study on the construction and regulation of bodies in Judg 19–21 bring to our understanding of this story? Before we can consider these questions, the first step requires defining the object of inquiry, the body, just as with any theoretical term. Though every person has their own body, the concept itself is not natural and can be conceived of in a variety of ways. As sociologists Suzanne E. Hatty and James Hatty suggest, "the body is a sociocultural construct which extends beyond the limits implied by biologism or essentialism."[135] Thus, bodies are not only constructed by the societies we examine, but also by those who conduct the examination.[136] Scholars interested in the study of the body, such as anthropologists

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134 *Paterfamilias* is a Latin term, literally meaning "father of the family," and is often used to refer to the male head of household in a patriarchal society, as I use it here.

135 Suzanne E. Hatty and James Hatty, *The Disordered Body: Epidemic Disease and Cultural Transformation* (New York: State University of New York Press, 1999), 7.

136 Note that this "construction" also occurs on the physical level. For instance, due to the cultural standard of sitting on the floor, women's legs in Japan used to become bowed. As chair-sitting has become more culturally dominant, younger women's legs no longer become bowed. As this example shows, societal standards affect actual physical bodies. John W. Traphagan, personal communication to the author.

and sociologists, suggest different conceptualizations of their subject of study. The way we think about "the body" influences the observations we make.[137]

For example, in his book on the development of sexual difference in the Western world, Thomas Laqueur argues that the ancient Greeks believe in only one body, the male body. The female body is simply an inferior version of the male body. Since men dominate the public sphere, this model reinforces the idea that man is the measure of all things and that women did not exist as their own ontological category.[138] This concept of the inferior female body also hearkens to the grotesque female body which appears in discourse about the body beginning in the 17th century. The female body lacks "closure," having an excess of orifices; it threatens the public domain of men. Likewise, its unique reproductive capacity simultaneously mystifies and threatens men.[139]

This precarious relationship between the female body and society has been examined by theorists throughout Western history. For example, Emily Martin's discussion of modern-day notions about reproduction in the United States continues to illustrate the constructed nature of bodies. She draws on Laqueur, noting the concept of one body as foundational in Western thought. In addition, the medical and scientific fields have

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137 In his discussion of medical sociology, the subfield of sociology focused on health, illness, and medical practice, Bryan Turner states, "How scientists see the body is dependent on their cultural framework and is not simply based on direct empirical observation." See Bryan S. Turner, *The Body and Society* (3rd ed.; Los Angeles: Sage, 2008), 11.

138 Thomas Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge, MA: Harvard University Press, 1992).

139 Hatty and Hatty, *The Disordered Body*, 20.

historically been dominated by men, thus the science and description of bodies have come from the male lens. Because of these facts, women's bodies have typically been described along the lines of male bodies. For example, the female reproductive system frequently has been thought as simply being the same as men's, only internal.[140] Such an understanding is made possible only through the belief that men are dominant and male bodies superior.

I have thus far been discussing mainly the constructed nature of physical bodies and biological concepts and how those ideas in turn influence culture and beliefs more broadly. Yet we cannot just focus on the physical and/or biological body, for bodies consist of much more. Through the following discussion of several approaches modern sociologists use to talk about the body, I argue that we should focus on three aspects of the body: individual, social, and political. Sociologist John O'Neill, in dealing with embodiment in contemporary Western society, argues for five different interpretative frameworks which help scholars analyze the multiple aspects of the body: the world's body, the social body, the political body, the consumer body, and the medical body.[141] The

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140 See Emily Martin, *The Woman in the Body: A Cultural Analysis of Reproduction* (Boston: Beacon, 2001), 28–29, for historical illustrations of the female reproductive system.

141 John O'Neill, *Five Bodies: Re-figuring Relationships* (London: Sage, 2004). See also Lock and Scheper-Hughes, "The Mindful Body." O'Neill uses the term "the body politic" rather than "the political body." I choose to change his terminology as "the body politic" is a well-known concept in political theory with a long history which should not be confused with O'Neill's usage. In political theory, "the body politic" is a metaphor for the nation as a corporate entity. As noted by Ernst H. Kantorowicz, it is used as far back as 1462 by John Fortescue in discussing the king's two bodies. O'Neill, in contrast, uses the term to indicate an interpretive frame which considers the power dimensions relevant to the study of the body. For more on "the body politic" in political theory, see Ernst H.

latter two bodies, the consumer body and the medical body, have little relevance to the ancient Israelite bodies presented in Judg 19–21, and offer little help to this study.[142] The first three, however, will be used in my analysis of the regulation of bodies in Judg 19–21. I will discuss these three bodies in more depth below.

Though he argues for a plethora of bodies, O'Neill helpfully illustrates why we must think about bodies in more ways than just the physical body, the world's body in his description. Our physical bodies, in many ways, are just like other physical objects in the world: they move in space, interact with other objects, can be damaged or destroyed.[143] Yet understanding bodies in strictly physical terms ignores the lived body that which communicates between the body, the world, and one another. O'Neill notes that this body "is the general medium of our world, of its history, culture, and political economy."[144]

Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theory* (Princeton: Princeton University Press, 1957).

142 One might assume that we could consider using the medical body as an interpretive lens. Some purity laws, for example, possibly have some deeper hygienic function. Since these laws are mainly conceptualized as both religious and tribal, however, they better relate to the social body and the political body, not to mention the world's body. In his concept of the medical body, O'Neill refers specifically to the medicalization of bodies which occurs in the Western world with industrialization. Drawing on Foucault, he considers the recent rise of bio-politics, in which institutions exert regulatory controls of bodies. As I will argue, ancient Israelite society also exerts control of individual bodies, but these controls can better fit into social (religious) and political categories, not medical. See O'Neill, *Five Bodies*, 66–78, for his discussion of the medical body.

143 Ibid., 3.

144 Ibid., 4. See also Maurice Merleau-Ponty, *Phenomenology of Perception* (trans. Colin Smith; London: Routledge & Kegan Paul, 1962), 146, for his description of the roles of the body in the world.

While we can draw an analytic distinction between the physical body and the lived/communicative body, they cannot be separated in experience.

In their prolegomenon to medical anthropology, Margaret Lock and Nancy Scheper-Hughes examine three different interpretive frameworks with which the body can be examined: the individual body, the social body, and the political body.[145] These three perspectives represent three different theoretical approaches used in studying the body: phenomenology (the individual body), symbolism and structuralism (the social body), and post-structuralism (the political body). They are not the first to use any one of these lenses to analyze the body or to suggest using multiple viewpoints at the same time, but their clear and succinct summaries of these three bodies is an extremely helpful starting point for scholars interested in examining bodies in a nuanced way.

The Individual Body

When I use the term "the individual body," I have in mind the physical, phenomenological body. The individual body, or O'Neill's the world's body, is the most self-evident aspect of bodies, and as such, underlies my entire discussion of bodies in *The [Anti-] Benjaminite Novella*. Following Clifford Geertz, Lock and Scheper-Hughes note that the concept of the egocentric individual whose desires and needs stand in opposition

145 Lock and Scheper-Hughes, "The Mindful Body," 6–41. This terms correspond to O'Neill's "world's body," "social body," and "political body." Note that, much like O'Neill, Lock and Scheper-Hughes also use the term "the body politic," not "the political body." For my reasons for changing their terminology, so my comment in n. 141.

to society is unique to Western thought.[146] Regardless, Marcel Mauss argues that we can likely assume that every individual has some sense of the embodied self as separate from other people.[147] While each body may be made up of the same constituent elements, "their relations to each other, and the ways in which the body is received and experienced in health and sickness are, of course, highly variable."[148] The conceptual problem with examining the individual body for those of us studying non-Western societies is the often-unacknowledged link Western analyses have to the Cartesian mind-body split. For example, in discussing the various elements individual bodies share in common, Lock and Scheper-Hughes list mind, matter, psyche, and soul.[149] In the Hebrew Bible, by contrast, we have little evidence of any separation between body and mind, external and internal.[150]

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146 Ibid., 13–14. See also Clifford Geertz, "From the Native's Point of View: On the Nature of Anthropological Understanding," in *Cultural Theory* (ed. Richard Shweder and Robert LeVine; Cambridge: Cambridge University Press, 1984), 123–36.

147 Marcel Mauss, "A Category of the Human Mind: The Notion of the Person, the Notion of the Self," in *The Category of the Person: Anthropology, Philosophy, History* (ed. Michael Carrithers, Steven Collins, and Steven Lukas; Cambridge: Cambridge University Press, 1985), 1–25. For the French, see idem, "Une catégorie de l'esprit humain: la notion de personne celle de « moi »," in *Sociologie et Anthropologie* (Paris: Presses Universitaires de France, 1950 [1938]), 333–62.

148 Lock and Scheper-Hughes, "The Mindful Body," 7. Because their field is medical anthropology, Lock and Scheper-Hughes are understandably interested in how bodies experience illness and sickness. Though I will not study disease as they do, as I will discuss in chs. 4–5, there is an element of social disease portrayed in Judg 19–21.

149 Ibid., 7–11.

150 There is perhaps an evolution of an understanding of the concept of a soul in the Hebrew Bible. In Gen 2:7, Yahweh forms the human from clay and blows into it the 'breath of life' (*nišmat ḥayyîm*), at which point the human fully becomes a human being (*nepeš ḥayyâ*). *Nəšāmâ* and *nepeš*, along with *rûaḥ*, are three Hebrew words which later develop into the meaning of "soul," and are at times translated that way in English

In Western epistemology, the individual and society are seen in opposition, with the demands of the social order at odds with individual desires. Thus, we need to make sure in our discussion of the individual body that we distinguish between the individual, meaning a phenomologically distinct body, and the person, the body within society. As Mauss described it, *la personne morale*, the moral person whose rights are limited only by the rights of other equally autonomous individuals, is a purely Western notion.[151] Lock and Scheper-Hughes note that the fundamental unit of society in Japan, for example, is not the individual, but rather the family. A person is always understood as acting within the context of a specific social relationship; they never simply act autonomously. An individual's identity shifts as their social context changes, but they always stand in relation to some social unit.[152] Likewise, as I discuss in ch. 3, the fundamental unit of ancient Israelite society is the *bêt ʾāb* (literally, 'the father's house'), not the individual. As we will see, individual bodies are constrained by social rules and norms, with the focus on the good of the whole society, beginning with the *bêt ʾāb*. Thus, the individual is only understood in relation to their particular social location, defined in terms of kinship or other social claims.

The Social Body

The understanding of "the social body" that I will utilize in this dissertation is based on the symbolic nature of the body in relation to society. Anthropologist Mary Douglas

translations of the biblical text. At the end of Ecclesiastes, for example, the speaker notes that dust returns to the earth at death, while *rûaḥ* returns to the God who gave it (Ecc 12:7).

151 Mauss, "A Category of the Human Mind."

152 Lock and Scheper-Hughes, "The Mindful Body," 14–15.

suggests that the social body refers to the representations of the body as a natural symbol which can be used to think about nature, culture, and society, giving us some of our richest sources for metaphors pertaining to society.[153] Cultural constructions both of and about the body can be extremely useful in supporting particular beliefs and norms of society.[154] This line of investigation has been well examined by anthropologists. One common example of how the body can give meaning to the social world pertains especially to my study in Jug 19–21: a healthy body is a model of social wholeness; a sick body represents the society in conflict, disintegration, or general disharmony.[155]

Though the body can serve as a powerful cultural symbol, its conception as such is complicated. Because the body is both biologically and culturally constructed, we are not always able to differentiate between the two.[156] In other words, it is not always possible to tell where nature ends and culture begins when understanding the body as a symbol. Douglas writes that "everything symbolizes the body" while at the same time "the body

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153 Mary Douglas, *Natural Symbols* (New York: Vintage, 1970), 65.

154 Lock and Scheper-Hughes, "The Mindful Body," 19.

155 Ibid., 7.

156 Lock and Scheper-Hughes consider the body to be "both physical and cultural artifact," which accounts for their caution regarding the line between nature and culture. Some feminist scholars, such as Judith Butler, have questioned this assumption of "nature" when it comes to both gender *and* sex. I will discuss Butler's use of "performativity" in a later section, but for now, let me simply raise a question as to whether our *conception* of bodies, both individual bodies and bodies metaphors for society, rely on nature. Our interpretation of bodies is so constrained by culture that perhaps even our concept of "nature" is similarly constrained. Lock and Scheper-Hughes, "The Mindful Body," 19. See also Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990); and idem, *Bodies that Matter: On the Discursive Limits of "Sex"* (New York: Routledge, 1993).

symbolizes everything else."[157] For example, theories of reproduction have typically reflected a society's particular kinship system. As I note above, the female reproduction system has been conceptualized the same as the male reproductive system, only inside the body. Therefore, the Western theory that both the male and female contribute equally to conception originally relies not on biological support, but on the bilateral kinship system (one father, one mother, one act of copulation) prevalent in modern Western societies.[158] Not until the 17th century onward does biology start to support this theory.[159]

I should note here that, in their writing, Lock and Scheper-Hughes often fluctuate between discussing "the social body" as if it is a separate concrete entity, on the one hand, and using the phrase to refer to a theoretical approach. This problem consistently plagues their article, confusing what are actually very helpful concepts. The social body, as I understand it, is simply the way in which the body can symbolize society, and vice versa. Symbolic anthropologists, like Mary Douglas, use the body in this way, understanding its experiences as representations of society. I find it less helpful at this moment to think about the social body as a distinct entity which can be studied separate from individual bodies. Rather, all three of these methodological stances (see below for a discussion of 'the

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157 Douglas, *Purity and Danger*, 123.

158 In bilateral kinship systems, lines of descent are traced through the father and the mother; children belong to both parents' kinship groups. See Maria Velioti-Georgopoulos, "Kinship and Descent," *EA* 3:1369–71.

159 Lock and Scheper-Hughes, "The Mindful Body," 19–20.

political body') should be considered in conjunction with one another, in order to produce a more complete picture of a society's conception of bodies.

The Political Body

By "the political body," I mean specifically the systems of power related to the body. The interaction between individual bodies and society goes beyond metaphors and representations of both the natural and the cultural. We must also consider the power and control found in the relationship between these bodies—what Lock and Scheper-Hughes label "the body politic" and I refer to as "the political body." While much of my investigation considers the control exercised over various bodies, one particular place where this concept is especially relevant is the role of the Israelite people in mediating the Gibeah conflict (Judg 20).[160] As Douglas argues, when a society feels threatened, social control over the community increases.[161] In her estimation, boundaries are sites which are especially dangerous for infiltration and pollution, and so must be strictly monitored. If the society is under attack, it must be purged of any traitors or social deviants. The individual body can be protected through ritual purity and rules controlling the substances which enter and exit the body.[162]

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160 See my discussion in ch. 5.

161 Douglas, *Purity and Danger*, 39–40.

162 The entirety of Douglas's *Purity and Danger* deals with this larger issue of how to protect individuals and communities from contamination. While her arguments about purity regulations in Leviticus have been questioned by biblical scholars, in the larger topic of the different aspects of bodies, her discussion on the social and political bodies is helpful, especially given her specialty as a symbolic anthropologist.

Societies have a variety of ways to respond to threats to society. For example, in Judg 19–21, as I will discuss in chs. 4–5, the Israelites deal with internal threats by military force, including placing certain communities under the ban (*ḥērem*), completely destroying them. In addition to these extreme responses, when the social order is threatened, the community also invokes harsher social control over its members. According to Lock and Scheper-Hughes, at times of danger for society, the boundary between the individual and the social body can be blurred, which is often expressed through increased concern over social and bodily boundaries.[163] We see this in Judg 19–21: the conquering Israelite tribes exercise vast control over the defeated Benjaminite men, including stipulating which women they can and cannot take as wives.

Besides simply controlling bodies at times of vulnerability, societies regularly work to train and reproduce certain kinds of bodies which they need.[164] Yet already it is apparent that these three aspects of bodies which need to be considered—the individual body, the social body, the political body—interact and merge with one another at various moments. In using these three bodies in my investigation, I do not mean to say that these are three separate bodies which I can clearly distinguish in Judg 19–21. What I am suggesting, however, is that these three aspects of bodies help us to consider all the various angles through which to study the relationship between the body and society as depicted in this

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163 Lock and Scheper-Hughes, "The Mindful Body," 24.

164 Ibid., 25; Michel Foucault, *Discipline and Punish* (trans. Alan Sheridan; New York: Pantheon, 1977), 136–224. The original French can be found in Michel Foucault, *Surveiller et punir: Naissance de la Prison* (Paris: Gallimard, 1975). I discuss Foucault's concept of docile bodies and their discipline, including panopticism, in more detail below.

pericope. For example, in ch. 5 I discuss women's bodies in particular, and how women's bodies can be seen as disorder in a patriarchal society, such as that depicted in Judg 19–21. A body is not just the physical elements, nor simply social or political, but consists of all three.

THE BODY AND SOCIETY

Given the central role of bodies to the proper functioning of the pre-monarchic society depicted in Judg 19–21, a theoretical model for this close relationship is essential to my entire project. British sociologist Bryan Turner has spent the past several decades investigating the body, especially the relationship between bodies and societies.[165] He argues that the lack of attention to the body in modern sociology, especially in medical sociology, is a major omission which needs to be addressed.[166] In his discussion of the disregard for the body in the field of medical sociology, he avers, "Everyday life is about the production and reproduction of bodies; we have to grasp this elementary fact before we can go on to talk about the production of 'the person.'"[167] In his work, through which he

165 See, for example, Turner, *Regulating Bodies*; idem, *The Body and Society*; and idem, "The Body in Western Society: Social Theory and Its Perspectives," in *Religion and the Body* (ed. Sarah Coakley; Cambridge: Cambridge University Press, 1997), 15–41.

166 He eloquently claims that there is "a theoretical prudery with respect to human corporality which constitutes an analytical gap at the core of sociological enquiry." Turner, *Body and Society*, 33.

167 Turner, *Regulating Bodies*, 3.

attempts to fill this lacuna, Turner offers the term "somatic society" to describe those societies whose main organization and control revolves around the body.[168]

Turner notes that every society has the same four problems: 1) It needs to reproduce its population in order to repopulate the society. 2) It must regulate the body in public spaces to prevent disorders. 3) It restrains individual sexuality against unhealthy wants. 4) It is required to represent persons socially to allow for interaction. While all societies share these four problems, however, they differ in prominence based on the nature of the society's economic mode of production.[169] Influenced by Karl Marx and Max Weber, Turner focuses almost exclusively on modern, industrial societies. As I will demonstrate, however, his concept of a somatic society also accurately describes the society depicted in Judges: a confederation of tribes.

World Building

According to Arnold Gehlen, a 20th century German philosophical anthropologist, human beings are unfinished animals; they are deficient beings. Humans are characterized by instinctual deprivation and do not inherently have a stable structure in which to operate. Given this lack, therefore, social institutions bridge this gap between humans and their

168 See his discussion of the formulation of the concept of the somatic society in his preface to *Regulating Bodies*, 1–13.

169 Turner, *The Body and Society*, 20. He notes that these issues presuppose Western society with its opposition between desire and reason, along with private/public, and female/male. While Turner might presuppose modern Western society, these dichotomies, though problematic, can be useful analytic tools for ancient Israel. See Ibid., 42.

physical environments. Through these institutions, human life becomes meaningful and coherent.[170] Gehlen thus slightly modified Thomas Hobbes's view of human beings and the social contract.[171] As a rational animal, it is in the interest of humans to form contracts in order to have security within society. By doing this, they give up some natural rights and submit to some authority, but in return they receive some relief from the insecurities of their natural condition. Gehlen and Hobbes have different theories as to why human civilization requires restraints and restrictions, yet both lead to what Turner calls *homo duplex*: the individual being and the social being.[172] As he explains, "The role of culture is to impose on the individual the collective representations of the group and to restrain passions by collective obligations and social involvements."[173]

This contract between humans and society which balances stability and instability is especially important in understanding the ancient Israelite concepts of proper hospitality, as seen in the scene at Gibeah (Judg 19:14–28).[174] American sociologist Peter Berger explores the relationship between the unfinished nature of human beings, society, and religion, noting that while society is nothing but a human construct, it simultaneously acts

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170 Arnold Gehlen, *Der Mensch: Seine Natur und seine Stellung in der Welt* (Wiebelschein, Germany: AULA, 2013 [1940]). See also Turner, *The Body and Society*, 9–11; and idem, *Regulating Bodies*, 15.

171 Thomas Hobbes, *Leviathan: Or the Matter, Forme, and Power of a Common-Wealth Ecclesiasticall and Civill* (ed. Ian Shapiro; New Haven: Yale University Press, 2010 [1651]).

172 Perhaps we should see this as *homo triplex*, as I am arguing for consideration of three beings: individual, social, and political.

173 Turner, *The Body and Society*, 25.

174 See my discussion in ch. 4.

back upon humanity. Thus, society is a product of humanity, yet humans are products of society. Berger names three steps in this process: externalization (society is a human product), objectification (society becomes a reality *sui generis*), and internalization (humans are the products of society).[175] Since humans are "unfinished" at birth, externalization is the process of "finishing" as a collective enterprise. This work of "world-building," then, is the process whereby "man not only produces a world, but he also produces himself. More precisely, he produces himself in a world."[176]

Due to its constructed nature, society is inherently precarious. These constructed worlds are threatened by the stupidity and self-interest of humans. For example, as we will see in Judg 19–21, the self-interest of the men from Gibeah, the Levite, the Benjaminites, and even the rest of the Israelites, along with the stupidity of the Israelites in making a foolish vow, all contribute to the destabilization of their world. Socialization and social control try to mitigate these threats, as do legitimations, which explain and justify the social order. According to Berger, when a challenge to the social order appears, the "facticity" of the social world can no longer be taken for granted. At this point, the social world needs to be explained, legitimized, for all parties involved. Religion is a widespread and effective form of legitimation because when roles and social institutions are given cosmic significance, an individual's self-identification with them becomes deeper and more

175 Peter L. Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Doubleday, 1990 [1967]), 4.

176 Ibid., 6.

stable.[177] Religious legitimation can be found throughout the Hebrew Bible, including Judges, as I will discuss in chs. 4 and 5.

Disease, Illness, and the Body

Because of the unstable nature of the social order, as well as the physical vulnerability of the human body, it is not surprising that disease and illness are major topics when considering the body. Turner clearly distinguishes between these two terms, arguing that disease refers to "configurations of pathological abnormalities," while illness refers to clinical manifestations which can be seen as either subjective symptoms or signs observed by others.[178] Thus, illness necessarily has a social component. Deviant behavior which is structured by cultural categories can also be understood as illness. Echoing Berger's concept of world-building, Turner notes that the body is both a means of labor and an object of labor. Through labor on our bodies we realize ourselves, yet this labor is a social practice. In this sense, Turner argues that illness should not be seen as an event which happens to the body, but is, paradoxically, a choice.[179] While making this distinction between illness and disease, Turner recognizes that in pre-modern societies, there is little distinction between disease, illness (deviant behavior), and sin.[180]

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177 Ibid., 31–32, 37.

178 Turner, *The Body and Society*, 154.

179 Ibid., 159. While emphasizing the social aspect of illness, Turner reminds us that disease too has a social aspect. Disease relies on classification, and thus is a "system of signs which can be read and translated in a variety of ways." Ibid., 176. Think, for example, of the modern practice of seeking a second opinion when dealing with a medical issue. The disease might be both diagnosed and treated differently by each doctor.

180 Ibid., 179.

In *The [Anti-] Benjaminite Novella* (Judg 19–21), we see no instances of disease, nor of physical illness. Throughout this pericope, however, we find examples of deviant behavior, a social illness, as I will discuss in ch. 4. According to Turner, while deviant behavior, such as the improper regulation of bodies, should itself be considered an illness, this behavior creates further social illness at the same time. For example, the improper behavior of the men of Gibeah (Judg 19:14–29), their failure to follow proper hospitality protocol, creates a social illness, a break in the normal working of society, which leads to even more problems, such as the civil war (Judg 20). Thus, while Turner mainly discusses physical diseases and their conceptions as illnesses, his treatment of these terms can be used to analyze Judges.[181] Lock and Scheper-Hughes note that societies which do not have a highly individualized conception of the self often explain illness and disease socially, such as through the breaking of social or moral codes, or through disharmony within a particular social unit. The corrective to this social illness necessitates the participation of the rest of society. Similarly, therapy for any physical illness described as societal requires collective participation.[182]

As with the story I am studying, not all illness and disease need be physical. The social illness found throughout Judg 19–21 arises as a result of a deviance from the proper social order through improper control of bodies. Keeping with his theory of the collective creation of the social order, Berger maintains that individuals appropriate the world in

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181 See, for example, Turner, *Regulating Bodies*, 214–28, for his discussion of *anorexia nervosa*.

182 Lock and Scheper-Hughes, "The Mindful Body," 15.

conversation with others. The identity of an individual and the world remain real to the individual only when s/he can continue that conversation. In this process, the objective reality of the social world becomes the individual's subjective reality because the institutions of the social world are appropriated by their roles and identities. For example, the roles assigned by kinship institutions are annexed by the individual: a man both plays a role of an uncle and is an uncle. Thus, if a conversation is disrupted, such as through a spouse dying, a friend disappearing, or leaving one's original social milieu, "the world begins to totter, to lose its subjective plausibility."[183] In the case of Judg 19–21, disruption in the conversation occurs because many social roles, such as guest and host, are performed incorrectly. Thus, the individuals in this story begin to lose their identities, which causes the reality of their world to falter. The result, of course, is further disorder.

According to Berger, anomy, or radical separation from the social world, is especially harmful not just because the individual loses emotionally satisfying ties, but because the individual loses her/his orientation in her/his experience of the world. In extreme cases, a person loses their sense of reality and identity. A person may plunge toward anomy if the "conversation," as I discuss above, is interrupted. This disruption can occur on a group level, such as an entire social group losing their status.[184] We see this collective state of anomy when the Benjaminites are defeated by the rest of the Israelites and lose their status as members of *bənê-Yiśrāʾēl*, the people of Israel, in Judg 21.

183 Berger, *The Sacred Canopy*, 17.

184 Ibid., 21.

Unfortunately for the men of Gibeah, who challenge the socially prescribed norms of hospitality, and the Benjaminites, who oppose the socially sanctioned punishment of Gibeah, Berger's prediction that going against the social order results in anomy proves true, as their challenges to the proper regulation of bodies result in extreme anomy.[185]

Social illness not only occurs through deviant behavior or when the conversation is disrupted; illness also ensues when a body does not conform to the ideal model of bodies. In societies where the male body is the norm, such as in the society depicted in Judges, female bodies are seen as aberrant simply by the very nature of their femaleness. In their study of the epidemics that ravaged Europe from the 10th–16th centuries, Hatty and Hatty investigate the socio-cultural changes which occur as a result, namely the masculinization of Western society. While they are examining events far afield from the Hebrew Bible, both their concept of "the disordered body" and the socio-cultural effect of illness provide helpful insight for my study. They discuss the idea of a "disordered" body as it relates to the perceived differences between the male body and the female body, one result of which is that people whose bodies are classed as "disordered" have been disadvantaged by (male) ruling elites. Throughout history, the disorder represented by female bodies has been a major challenge to male authority. In *The [Anti-] Benjaminite Novella*, the body of the Levite's *pîlegeš* presents a threat to the social order, and thus must be controlled: by her

185 For example, as I discuss in chs. 4–5, when the Benjaminites challenge the social system by supporting Gibeah against the Israelites, they begin the process of separating themselves from society which reaches its apex in their reduction to a mere remnant hiding out at the rock of Rimmon.

husband, by the men of Gibeah, and after her death, by the Israelites as a whole. By regulating women's bodies, men gain some sort of control, a sense of order over their "disorder."[186] This need to control female bodies has led to different conceptions and treatment of the female body in society, as I will discuss in the next section.

The disordered nature of women's bodies stretches far back into antiquity, including to ancient Israel, legitimating men's regulation of women's bodies and their sexuality. Some of the first rituals of taboos in tribal societies often involve women's bodies.[187] For instance, Lev 15:19–24 enumerates the regulations concerning menstruating women.[188] For a period of seven days during her monthly menstruation, a woman is deemed ritually unavailable. Whoever touches not only the woman, but anything she sits upon, is considered impure. A man is not supposed to have sexual intercourse with her during her period or he is unclean for seven days. If a woman has a discharge of blood not during her normal menstruation, she is impure for seven days *after* her bleeding stops (Lev

186 Hatty and Hatty, *The Disordered Body*, 31–32. See also Turner, *The Body and Society*, 210.

187 Turner, *The Body and Society*, 36–37.

188 Not only women's bodies are regulated, however. The Hebrew Bible also identifies ejaculation, both within the confines of sexual intercourse and separately, as a source of ritual impurity. Despite this fact, women's seepages are more closely controlled than men's. After ejaculation within the normal practice of sexual intercourse, both the male and female partners must bathe and are ritually unclean until the evening. Only accidental seminal emissions, such as "wet dreams," results in a man being ritually unavailable for seven days. See Lev 15:1–18.

15:25–30). On the eighth day, she must make an offering of two birds in order to complete her purification.[189]

All societies throughout history have generated their own ideas about the human body, including rules for the management and preservation of the body. Bodies need to be healthy, productive, and fertile, which is why every society seeks explanations and remedies for bodily disorders. As can be seen above in the Levitical regulations regarding menstruating women, the disordered body is not only one that is affected by disease, but also one that is capable of contaminating others, such as through bodily fluids.[190]

The Female Body in Society

Before discussing the relationship between power and control over the body, we need to look briefly at the female body in society. In my study of Judg 19–21, while I am investigating control over both male and female bodies, I cannot ignore the unique position of female bodies in the patriarchal life of ancient Israel. Indeed, the control of female bodies bookends *The [Anti-] Benjaminite Novella*, creating the problem in society and offering the solution. The social illness which culminates in the civil war (Judg 20) begins with the

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189 For discussions of the ancient Israelites' conception of menstrual blood as dangerous, see, for example, Howard Eilberg-Schwartz, "The Problem of the Body for the People of the Book," in *Reading Bibles, Writing Bodies: Identity and The Book* (ed. Timothy K. Beal and David W. Gunn; London: Routledge, 1997), 34–55.

190 Turner, *The Body and Society*, 40–41.

In her discussion of modern, Western conceptions of women's bodies, Emily Martin notes that many of their natural, biological processes are conceptualized as a disease. Menopause, for example, is often described as a problem that needs to be regulated or fixed. See Martin, *The Woman in the Body*, 42–43.

improper regulation of the Levite's *pîlegeš*, his secondary wife, in Judg 19.[191] When the tribes wish to reconcile themselves to the Benjaminites after the civil war, they achieve this rapprochement through the exchange of women as wives (Judg 21).[192] Thus, while I do not focus exclusively on the control of female bodies, I cannot understate their importance to my study.

Turner notes that discussions of sexuality and sociological studies of the body have typically been grounded in masculine control over female desires.[193] The body is culturally constructed in opposition to social authority, and the female body more specifically is the primary challenge to the continuity of power and property. Thus, the cultural source of patriarchy lies upon the division between female passion and male reason/control. In his brief foray into the ancient world, Turner argues that public space is equated with freedom, while the private sphere of the domestic economy is the space of need and deprivation. In this way, "the private space of the hearth was connected with the production of life's necessities by beings (slaves and women) who were not entirely human."[194] Thus, this division of public and private appears to fit ancient Israelite society, at least in most

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191 See ch. 4.

192 See ch. 5.

193 Turner, *The Body and Society*, 28. Turner is adamant that the critical study of the control of female sexuality by the men who have patriarchal power is crucial for the sociology of the body. See ibid., 101. Of course, in ancient societies, including ancient Israel, the men in positions of power at all levels of society not only had control over the sexuality of women, but also of children and subordinate men. This latter group in particular is pertinent to my study.

194 Ibid., 38.

circumstances.[195] Thus, a major form of bodily control exercised by the (male) elders in Judg 19–21 is the regulation of female sexuality, specifically in determining permissible marriage practices.

One explanation for this control of female sexuality involves distributing property through legitimate heirs in a patrilineal society, such as ancient Israel. "Legitimate" heirs are males whose paternity is believed to be certain, so a woman's virginity at the time of marriage and fidelity while married are of utmost importance.[196] As Turner notes, "women are seen as a potential threat to the solidarity of the kinship group, because there can be no absolute guarantee that the children they bear actually belong to the group."[197] According to this argument, patriarchal control over women can be conceived as political and as ideological arrangements that arise from proper property distribution through certain forms

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195 There are, of course, women who enter the public sphere and hold positions of authority, such as Deborah in Judg 4–5.

My questioning of whether women were viewed as less human than males in ancient Israelite society comes from the limited social control women had over their bodies, as compared to men. I will discuss this topic more below in connection to docile bodies.

As Jo Ann Hackett noted in her article discussing women's history in the Hebrew Bible, women throughout history have typically had less access to hierarchical and centrally-structured institutions than they have had to local and non-hierarchical institutions. That is, once government and institutions begin to develop into more formalized structures, women can often no longer participate in the power structures of society, at least not to the same extent. See Jo Ann Hackett, "In the Days of Jael: Reclaiming the History of Women in Ancient Israel," in *Immaculate and Powerful: The Female in Sacred Image and Social Reality* (ed. Clarissa Atkinson, Margaret Miles, and Constance Buchanan; Boston: Beacon Press, 1985), 17.

196 Turner, *Regulating Bodies*, 19. The latter point becomes a potential issue in Judg 19, depending on how we read the actions of the Levite's pîlegeš in v. 2. See ch. 4 for a discussion of this point, and Appendix A for my translation.

197 Turner, *The Body and Society*, 103.

of kinship relations. Thus, stories of paternity and infanticide were important because one could never be absolutely sure about legitimate paternity.

Earlier in this chapter, I discussed the three theoretical frameworks for studying the body which I will use to investigate this story of tribal Israel: individual, social, political. Up to this point, I have not questioned whether every person inhabits each of these aspects. When considering the female body in patriarchal society, however, this issue must be addressed. Just like every other aspect of the body, what constitutes "the body" is an effect of social interpretation. What counts as a body might not necessarily be an individual animate organism.[198] On the other hand, some bodies might not actually count as individuals, at least not as individual entities who have rights or social control over their own bodies.[199] Women under patriarchy who cease to be legal persons when they are wed do not control their own bodies. This concept is known as *coverture*, a legal term indicating that the legal personality of the wife is merged with her husband's so that the male head of household controls all the bodies of his subordinates.[200]

While no such legal term exists in the Hebrew Bible, the patriarchal society depicted reflects this concept. I will address marriage practices in my larger discussion of

198 Turner, *Regulating Bodies*, 54.

199 All individuals have phenomenological control of their bodies to a certain extent, determining how their bodies interact with the world on a basic level. Socially, however, bodies are controlled by institutional regulations, by ideology, by economics, etc., and may not have any social control over their own bodies because of social regulations.

200 Ibid., 55.

the ancient Israelite kinship system in ch. 3, but for now I want to mention briefly the question of a woman's social control over her own body. In the patriarchal tribal society depicted in Judges, either individuals or small groups of men at each level of society are in charge of everyone under them. At the lowest level, that is, the *bêt ʾāb* (the father's house), the male head of household, the *paterfamilias*, controlled the rest of the family, including imposing regulations on their bodies. As I will discuss in conjunction with Judg 19–21, this means that a daughter in the *bêt ʾāb* does not have power over her own body; her father does. Once she marries, she gains no control over her body; instead, that power transfers to her husband.[201]

THE BODY AND POWER

An analysis of the proper and improper regulation of bodies in Judg 19–21, such as the control of the *paterfamilias* over female and subordinate male bodies within his household, must inevitably include discussions of the relationship between bodies and power, and for this we cannot underestimate Michel Foucault's influence, who not only brings power to the forefront of academic discourse, but also analyzes bodies and sexuality. Though he all but ignores the ancient and pre-industrial time-periods, choosing instead to focus almost exclusively on modern, industrial, Western society, some of Foucault's insights into power and its relationship to bodies can be useful for biblical scholars. In addition, despite all of the feminist critique of Foucault, most of it fully justified, his general

201 Philip J. King and Lawrence E. Stager, *Life in Biblical Israel* (Louisville: Westminster John Knox, 2001), 50.

indifference to gender analysis does not preclude a more nuanced view of gender differences in systems of power.[202] In this section, I will consider two specific elements of Foucault's work pertinent to my study: *docile bodies* and surveillance.[203]

The Docile Body

In his book *Discipline and Punish*, Michel Foucault examines the disappearance of torture as a public spectacle in Europe and the United States and the rise of the carceral institution in the latter half of the 18th century to the 19th century. There is a disappearance of punishment as a spectacle, with publicity instead shifting to the trial, which before this time had been secret. This disappearance of public executions means a slackening of control over the body, though control does not completely disappear. There is no longer a focus on pain, as in the older systems, but punishments like imprisonment do have some control over the body: food rationing, deprivation of sex, corporal punishment, and solitary confinement.[204] This system of punishment revolves around a "political economy" of the body. As Foucault writes, "it is always the body that is at issue—the body and its forces, their utility and their docility, their distribution and their submission."[205] The body is only a useful force if it is both a subjected body and a productive body.

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202 For more information on feminist critiques of Foucault, see, for example, Jana Sawicki, *Disciplining Foucault: Feminism, Power, and the Body* (New York: Routledge, 1991); and Angela King, "The Prisoner of Gender: Foucault and the Disciplining Female Body," *JIWS* 5 (2004): 29–39.

203 These concepts are most fully discussed in Foucault's *Surveiller et punir: Naissance de la Prison*.

204 Foucault, *Discipline and Punish*, 10–16.

205 Ibid., 25.

In this new form of imprisonment in the 18th century, the goal quickly becomes creating a docile, and therefore usable, body through discipline. Creating environments for discipline, the control of activity, and the organization of the individuals, the methods which make possible the control of the body's operations and assure the subjection of the body's forces. Discipline produces docile bodies by both increasing and decreasing the forces of the body: increasing the forces of the body to make it more useful, but decreasing them to ensure obedience. In this way, discipline constructs a "machine" whose effect is maximized by the concerted efforts of the parts which compose it.[206]

Foucault sees docile bodies as essential to the modern industrial age, where these bodies can, in essence, be cogs in the machine, whether factory, military, or classroom.[207] Docile bodies can also be found, however, in the ancient world, as a necessary element to ensure social order. If we disregard his insistence on mechanical metaphors, the importance of a subjected and productive body, a docile body, is evident throughout Judg 19–21, as I discuss in chs. 4–5. Each individual body has its own specific place within the society depicted in Judges, complete with distinct duties and expectations. At each level of society, these duties and expectations may change, but they never disappear. Bodies must therefore be disciplined—through cultural norms, through familial interaction, through political or religious demands—in order to function as effectively as possible. A single body acting

206 Ibid., 136–38.

207 Ibid., 170.

outside its expected position, either by choice or through force, disrupts the political system. When larger groups of bodies prove to be less docile than desired, chaos ensues.

The discussion of docile bodies is one place where I find Foucault's lack of attention to gender difference especially problematic. Though he briefly mentions the hysterization of women's bodies, throughout *Discipline and Punish* he generally assumes the maleness of the bodies in his analysis, including the docile body. This is a major oversight, as other feminist scholars have indicated.[208] In my discussion of the bodies in Judg 19–21 in chs. 4–5, given the patriarchal nature of this society, I must consider whether or not women's bodies are made more docile than men's bodies. As Hatty and Hatty note, women must deal with the omniscient and ubiquitous male gaze, what they call the "panopticism of men," adhering to their standards of what is "feminine."[209] In Judg 19–21 in particular, the dead *pîlegeš* is grotesquely subjected to the male gaze when her dismembered body is used as a subpoena for all Israelites to muster at Mizpah (Judg 19:29–20:1).[210] Additionally, for the Hebrew Bible as a whole, the panopticism of men is especially pertinent, given that the women depicted are literally the products of the male mind and stylus. Though it may have some historical antecedents, the final form of this story necessarily reflects the concerns of the male writers/editors.

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208 See n. 202 above.

209 Hatty and Hatty, *The Disordered Body*, 21. I will discuss the concept of panopticism in general and the panopticism of men below.

210 See ch. 4

The Body and Panopticism

Foucault notes that docile bodies can only be produced through discipline, the methods utilized to control the bodies' functions: surveillance, normalizing judgment, and examinations.[211] I focus strictly on surveillance and normalizing judgment here, as examinations as an instrument of discipline do not appear in Judg 19–21. Surveillance, on the other hand, is an essential element to the control of bodies by the *paterfamilias*, while normalizing judgment can help illuminate the civil war in Judg 20 in relation to the events in Gibeah.[212]

In regard to the modern carceral system, as well as similarly structured systems, such as factories and the modern military, hierarchical observation, which Foucault calls surveillance, rests on a whole network of powers, both vertical and lateral.[213] Foucault argues that "this network 'holds' the whole together and traverses it in its entirety with effects of power that derive from one another: supervisors, perpetually supervised."[214] This surveillance in his estimation again acts as a machine, with the entire system, not just the head, producing power. Also according to Foucault, each modern organization has a whole system of micro-penalties for time (lateness, absences), activity (inattentiveness, negligence), and behavior (insubordination); these micro-penalties make up the concept of "normalizing judgment." What is unique about this judgment, however, is that the whole

211 Foucault, *Discipline and Punish*, 171–198.

212 See ch. 4

213 Foucault, *Discipline and Punish*, 171. See also Norman K. Gottwald, *The Hebrew Bible: A Socio-Literary Introduction* (Philadelphia: Fortress, 1985), 285–86.

214 Ibid., 176–77.

area of "non-conforming" can be punishable; an offense can simply be not living up to the standards set. Hence Foucault's terminology *normalizing* judgment; punishment comes not only as a result of behaving wrongly, but simply of behaving non-normatively. In this way, normalizing judgment, as a form of discipline, helps to create and maintain docile bodies as the norm.[215]

Foucault uses Jeremy Bentham's architectural structure of the *Panopticon* to describe this ideal disciplinary process with its emphasis on surveillance.[216] Designed as a model for an efficient prison in the modern carceral system, the Panopticon prison consists of a central inspection house surrounded by a circle of prison cells. The watchmen in the central location can see into all of the cells, but the prisoners cannot see into the central space. While a single guard cannot physically watch each cell simultaneously, since the prisoners never know when they are observed, they act at all times as if they are observed. In this way, a single guard can control the behavior of the prisoners at all times. In the Panopticon prison, visibility becomes the trap; the individual is seen, but does not see, is an object observed for information, but not an object who communicates. Panopticism is the ideal form of a power mechanism: it reduces the number of those in power while increasing those on whom power is exercised; it can intervene at any time, but its strength

215 Ibid., 177–80.

216 Jeremy Bentham, *The Works* (4 vols.; Edinburgh: William Tate, 1843), 237–248.

is that it never intervenes because it is exercised spontaneously and silently; it can easily be inspected at any time, which reduces the risk that it will degenerate into tyranny.[217]

With this emphasis on panopticism and surveillance, Foucault argues that discipline moves from a strictly negative function, what he calls the "discipline-blockade," to a positive role, "discipline-mechanism."[218] He sees this process as unique to the modern world, noting how discipline gradually spreads to the whole social body in the 17th–18th centuries. Foucault argues that antiquity is a civilization of spectacle, with a focus on public life, making a small number of objects accessible to a large number of people, while modern society is a civilization of surveillance, making accessible the instantaneous view of a great multitude for a small number, or even for an individual.[219]

Though he gives great insight into the changes of the carceral system which arise out of the Industrial Revolution in the West, I disagree with Foucault's assessment that surveillance as a "discipline-mechanism" is unique to the modern world. We can see some element of surveillance in the world of Judg 19–21. As I mention above, Foucault notes that modern-day surveillance rests on a whole network of powers, both vertical and lateral. In Judg 19–21 we also see vertical surveillance through the various levels of society: the father's house (*bêt ʾāb*), the clan (*mišpāḥâ*), the tribe (*šēbeṭ* / *maṭṭe(h)*), and the nation (*bənê-Yiśrāʾēl*). Take the lowest level of society, the father's house (*bêt ʾāb*). As I discuss

217 Foucault, *Discipline and Punish*, 208.
218 Ibid., 209.
219 Ibid., 216–17.

throughout this study, the head of the father's house, the *paterfamilias*, has control over all other members of this basic social unit—women, children, and subordinate men. At the same time, the *paterfamilias* does not have absolute power; he himself is subjected to surveillance by those in power at each successive level of society. Even the tribal elders (*zəqēnîm*), the men at the top of the society's power structure, experience surveillance from the ultimate power in Israelite society, their deity Yahweh. In this way, there is vertical power and surveillance in ancient Israel, yet there is also horizontal power and surveillance. While the leaders of each *bêt ʾāb* exist at the same political level as the other, and thus do not have vertical power over each other, they compete for resources, such as water rights.[220] This rivalry creates an element of lateral power and surveillance: each leader needs to be aware of other leaders' actions in order to protect the interests of his own *bêt ʾāb*. Therefore, in the tribal period of ancient Israel, there is both lateral and vertical power and surveillance.

Habitus, Performativity, and Agency

As I state above, bodies are not static, isolated entities, but rather are the means through which people interact with the world around them. The bodies in Judg 19–21 constantly act upon one another and the world; they speak, walk, sit, eat, drink, relax, sleep, argue, rape, pray, fight, mourn, dance, marry, and even die. These bodies have been taught how to behave properly, and they at times act appropriately in their assigned social roles,

220 King and Stager, *Life in Biblical Israel*, 125. In the Hebrew Bible, see, for example, Exod 2:15–22 or Gen 21:31.

such as the Israelites and Benjaminites as warriors in the civil war (Judg 20); at times they act improperly in those roles, such as the men of Gibeah as hosts to the Levite and his entourage (Judg 19:14–28).[221] They act upon others, showing agency, and are acted upon, perhaps becoming mere objects. They are active, and must be understood as such.

Actions of the body have definite cultural components to them, as Marcel Mauss describes in his discussion of *body techniques*, using the term to indicate "the ways in which from society to society men know how to use their bodies."[222] Mauss himself notices the cultural differences in how people use their bodies while observing men in both the English and French military. Not only do the two troops march differently, they also have their own specific techniques for other activities, such as digging and using spades. Mauss argues that variations in body techniques come not only through culture, but through time. In his discussion of swimming techniques, for example, he notes the changes over a few decades both in how swimming is taught and in technique changes in specific strokes.[223]

Mauss uses the term *habitus* to describe these sets of techniques. These are not just "habits" which vary according to the desire of individuals; instead, there is wider cultural variation between societies, socio-economic status, educational level, etc. Thus, *habitus* does not simply imply repetitive functions carried out by an individual, but rather describes

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221 See ch. 4 for my discussion of both cases.

222 Marcel Mauss, "Les techniques du corps," in *Sociologie et Anthropologie* (Paris: Presses Universitaires de France, 1950 [1936]), 365–86.

223 Ibid., 366–68.

a combination of the individual and the collective, an element of enculturation.[224] Pierre Bourdieu later expands and adapts Mauss's view of *habitus*, stressing the embodiment of *habitus* over mere socialization, noting that the former works at a deeper level, whereas socialization often functions at the explicit, conscious level.[225] For Bourdieu, then, *habitus* is embodied culture, so deeply embedded in individuals that we are often unaware of its effects upon us.

Despite the fact that *habitus* often functions at an unconscious level, in this study I want to connect it to performativity, which frequently functions at the conscious level. The term "performativity" derives from J. L. Austin's work on "performative utterances," instances where saying something actually *does* something, instead of simply describing reality. The most common and well-known example of a performative utterance is the words used today in marriage ceremonies. When a religious or governmental authority proclaims a couple "husband and wife," "wife and wife," or "husband and husband," they are not simply describing the new status of the pair. Instead, the utterance itself, the

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224 Ibid., 368–69.

225 Pierre Bourdieu, *The Logic of Practice* (Stanford, CA: Stanford University Press, 1990), 52–79.

Anthropologists Andrew Strathern and Michael Lambek define "embodiment" as an indication of "the intersection of the biological and the cultural in the realm of the lived experience." This coincides with Bourdieu's interpretation of *habitus* as functioning at more than just the conscious level. The bodily techniques of *habitus* become deeply ingrained in our bodies. See Michael Lambek and Andrew Strathern, "Introduction: Embodying Sociality: Africanist-Melanesianist Comparisons" in *Bodies and Persons: Comparative Perspectives from Africa and Melanesia* (ed. Michael Lambek and Andrew Strathern; Cambridge: Cambridge University Press, 1998), 13.

proclamation of this new status, actually creates it.[226] Though Austin never actually uses the term "performativity," the concept remains similar to his "performative utterances," and other scholars have developed it further. Feminist scholars, notably Judith Butler, have taken the idea of performativity to explore the relationships among performative speech acts, common speech, and identity. Thus, identity does not *inform* secondary acts, such as speech; rather, identities are *created* through performativity, including speech. Butler focuses especially on gender performativity and sex performativity, arguing that neither is natural or binary.[227]

Like Austin, Butler remains firmly entrenched in literary theory and philosophy, concerning written and spoken words, not embodied actions, which accounts for some critiques of her theories. For instance, throughout her book entitled *Bodies that Matter: On the Discursive Limits of "Sex,"* the physical and social bodies that supposedly matter are frequently ignored in favor of philosophical insights into the concept of "the body." Thus, given the importance of *habitus*, in this study I strive to understand performativity not just as performative utterances, but also as performative actions. All actions are performative in that they "do" something; yet, like the performative utterance in a marriage ceremony, there are actions which carry more meaning for a person's identity than others do. For instance, a man opening a car door for a woman often "does" more than simply attain the physical result. This performative action provides information about how the man

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226 J. L. Austin, *How to Do Things with Words* (Oxford: Clarendon Press, 1962).
227 See Butler, *Gender Trouble*; and idem, *Bodies that Matter*.

understands himself, the woman, and their relationship to one another and to culture, among other things. Thus, in terms of identity, the way people act, the body techniques they employ, are just as significant as the words they speak.

Every culture teaches its members to use their bodies in particular ways, and ancient Israel proves no exception. Individuals are trained, at times explicitly, but more often implicitly through cultural conventions, to behave in a certain way, to embody certain roles. The roles most pertinent to Judg 19–21 include Levite (religious figure), *pîlegeš* (secondary wife), *gēr* (resident alien), elder, warrior (both right- and left-handed), and virgin (having not known a man sexually). Yet within these roles, individuals perform their own identities, at times both agreeing and disagreeing with cultural norms.

This discussion of performing identity naturally leads to discussions of *agency*, a key, yet controversial, concept in my discussion of women in Judg 19–21. The ability for an individual to perform their own (gender, sexual, etc.) identity is, I argue, one of the most basic forms of agency a person can have. The term "agency" has been discussed and debated by scholars for some time, but for the purposes of this project, agency simply refers to the ability of an individual, an agent, to act. In this way, then, my definition coincides with Max Weber's distinction between "power" and "authority." According to Weber, power is the ability of an individual to carry out their own will. Authority is legitimated power, that is, power which has been accepted as legitimate by those over whom it rules.[228]

228 Max Weber, *Economy and Society: An Outline of Interpretive Sociology* (ed. Guenther Roth and Claus Wittich; Berkeley: University of California Press, 1978 [1922]), 53; idem, "The Three Types of Legitimate Rule," trans. Hans Gerth, *Berkeley Publications*

Given these definitions, my concept of agency corresponds to Weber's power. One element that Weber discusses in his idea of power, however, is an individual's ability to act *despite resistance*.[229] This latter point is a common standard used by feminist scholars when discussing whether a woman possesses agency within a patriarchal system. In Judg 19–21, for example, the women are frequently read as little more than victims who cannot freely act, as I mention in ch. 1.[230] Yet, as I discuss in chs. 4 and 5, women are essential not only to the resolution of the civil war, and thus the story, but also to the continuation of the form of government shown in Judges and the very survival of the Israelites as a people. Their importance to both the narrative and the social order raises doubt as to the adequacy of the term agency in analyzing patriarchal social systems.

These questions of agency have plagued feminist scholars, especially historians studying decidedly patriarchal systems, because of the *in*ability of many women to act in the face of (male) resistance; yet some scholars have attempted to move away from the

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in Society and Institutions 4 (1958): 1–11. Weber describes three types of authority: charismatic authority, traditional authority, and legal authority. The form of government described in Judges appears, in many ways, to correlate to Weber's charismatic authority. Individual charismatic leaders are raised by Yahweh at various points to rescue the Israelites (or at least a tribe(s) of the Israelites) from the oppression of their neighbors. As the cycle goes, the Israelites, once rescued by the judge, live as faithful followers of Yahweh. Invariably, however, once that judge has died, the Israelites lose their way, sin against Yahweh, and are conquered and oppressed by some other neighboring group.

At the same time, however, the political system resembles Weber's traditional authority, which he derives from patriarchs and their households. In Judg 19–21, Weber's traditional authority is actually more relevant, given the lack of judges in this particular story. Regardless of its compositional history, this story gives us a glimpse at a more patriarchal form of government than the main body of Judges.

229 Ibid.

230 See, for example, Trible, *Texts of Terror*, 65–91.

common feminist analogy that agency corresponds to resistance from the oppressive patriarchal regime. For example, while examining bodies and gender in medieval religion, Caroline Walker Bynum highlights the problems with bringing modern assumptions into the work of historians, especially when studying women, which leads to assumptions not only about how women are viewed and treated, but also about how these women view and conceptualize themselves and their gender, resulting in analyses that consider those women as participants in their own subjugation.[231] In her discussion of the problem with Victor Turner's theory of liminality for analyzing women's ritual practices, for example, Bynum notes that women's symbols and rituals emphasize continuity, not inversion or elevation, as men's rituals do. They instead enhance women's ordinary experiences, making women's religious stance either permanently liminal or never quite becoming so.[232] Thus, focusing strictly on resistance ignores the agency women maintain within male systems of power.

Similarly, in much of her work on contemporary Egypt and the Women's Mosque Movement as part of the larger Islamic revival, Saba Mahmood addresses the issue of agency.[233] Writing against the typical feminist view of women's participation in Islam

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231 Caroline Walker Bynum, *Fragmentation and Redemption: Essays on Gender and the Human Body in Medieval Religion* (New York: Zone, 1991).

232 Ibid., 32–33. For Turner's theory of liminality, see Victor W. Turner, "Betwixt and Between: The Liminal Period in *Rites de Passage*," *The Proceedings of the American Ethnological Society* (1964): 4–20; and idem, *The Ritual Process: Structure and Anti-Structure* (Piscataway, NJ: Aldine Transaction, 1995 [1966]). Turner himself was indebted to the work of Arnold van Gennep. See Arnold van Gennep, *Le rites de passage* (Paris: Emile Nourry, 1909).

233 Note, however, that Mahmood conducted her ethnographic study before the Egyptian Revolution of 2011.

which sees them as pawns in a patriarchal plan who will despise Islam once they are freed, she argues against the "normative liberal assumptions about human nature" that all people want freedom, that they assert their autonomy when they are able, and that agency consists of challenges to the social norm.[234] The most important point Mahmood makes for my own project is her insistence that agency (and feminism) does not necessarily equal resistance. We should not condemn these women who remain firmly entrenched in Islam because it is a patriarchal system, nor the women who participate in the ancient Israelite patriarchal system. Thus, instead of interpreting the women in Judg 19 and 21 as either having no agency or being complicit in their own subjugation, we need to understand how they could express their agency while remaining within their patriarchal society.

A third helpful perspective comes from the work of Mary Keller, who explores the relationship between women, deities, and agency in spirit possessions from various times and places.[235] While no instances of spirit possession occur in Judg 19–21, her insights into how a possessed woman retains agency suggest broader readings of the term. Keller is interested in questions of agency during possession, working towards a model which both preserves the agency of the possessing spirit and acknowledges the receptive agency of the women possessed. In order to do so, she suggests reading "instrumental agency" into the possessed women, understanding agency as both an *action* and a *place* where changes

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234 Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press, 2001), 5.

235 Mary Keller, *The Hammer and the Flute: Women, Power, and Spirit Possession* (Baltimore: The John Hopkins University Press, 2002).

occur. In reference to the title of her book, Keller suggests that these women as hammers have instrumental agency because the bodies of the possessed serve as an instrument or means for change. As flutes they also have instrumental agency, as the location for change, the instrument being played. She sees the possessed body as a tempered body, that is, a body regulated by both cultural and biological forces. Her concept of a tempered body can thus be related to both Marcel Mauss's bodily techniques and Michel Foucault's docile body, as I discuss above. By using instrumental agency, Keller allows for agency in instances where many other scholars hesitate.[236]

Given all these different definitions to agency, the way in which individual bodies can act in the world, I argue in the following chapters that the women in Judg 19 and 21 have some sort of instrumental agency, even though they remain within the patriarchal system and cannot always act in the face of resistance. This discussion of agency pertains to the men in the story as well, on various levels. In Judg 20–21, there are several instances where the Israelites inquire of Yahweh to give them guidance. While they are not possessed like the women in Keller's study, the question of ultimate agent—Yahweh or people—remains. In addition, the defeated Benjaminites in Judg 21 have little say over their fate, yet like the women, they are important to the survival of the Israelites as a whole and for the reconciliation between factions. Thus, the questions of *habitus*, performativity, and agency will be addressed throughout my analysis of *The [Anti-] Benjaminite Novella*.

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236 See, for example, Amy Hollywood, "Gender, Agency, and the Divine in Religious Historiography," *JR* 84 (2004): 514–28.

BODIES IN THE HEBREW BIBLE

Several problems confront those scholars who wish to conduct a detailed study on the body in the Hebrew Bible. To begin with, we have limited evidence with which to work. I will discuss the problem writing about women's bodies in particular below, but for now, a general word about this constraint will suffice. Our main source of evidence about the construction and proper regulation of bodies comes from the text of the Hebrew Bible, a rather small corpus of literature. Many of the writings are not historical in nature, and even those which are meant to be historical, like the Deuteronomistic History, do not reflect modern standards for historical writing. We have little textual evidence outside of the biblical corpus, with the earliest mention of a specific biblical figure occurring well into the monarchic period. We can supplement the text with comparisons to other ancient Near Eastern societies and with archaeological evidence, which inform our understanding of life in ancient Israel. Much like extra-biblical textual data, however, archaeological data also increase in frequency during the later periods. For the period of the Judges, then, our main source of information remains the text, supplemented by relatively scarce comparative and archaeological evidence.

Besides these primary sources, we also rely heavily on modern scholars, particularly anthropologists and sociologists who theorize about bodies in their own contexts. This practice, however, contains its own problems of which we need to be aware. As I have noted several times throughout this chapter, many theorists, especially sociologists, are writing from an overtly modern, Western, industrial framework. Yet even those who do not explicitly write from this position, at times implicitly do so. Some simple

assumptions, such as the Cartesian mind/body split, can have far-reaching consequences in one's analysis of an ancient society that did not recognize such a split.

Finally, any discussion of individual bodies in the Hebrew Bible must deal with the question of exceptionalism. In ch. 1, I mention how Hamilton's study of kings' bodies in *The Body Royal* differs from my current study due to the exceptional nature of the bodies he investigated—kings. Though his bodies are more exceptional than those in Judg 19–21, the fact that these latter bodies are preserved in the text of the Hebrew Bible at all makes them exceptional. In considering this problem in her own work with female religious actors in Medieval Europe, Caroline Walker Bynum mentions that most of the women she studies are exceptional. Despite this fact, she strives to explore their religious and social worlds in order to explain the women by their context and the context by the women, noting that some of their behaviors are practiced by "normal" women. Yet their contemporaries mark these women as heroines and guides—as exceptional and worthy of remembrance.[237]

This understanding of the women preserved in medieval texts is very similar to my conception of the characters in the Hebrew Bible, especially the women. They are clearly exceptional since these few, out of the many women alive at the time, are remembered. However, unlike Bynum, we have little evidence to evaluate whether their actions reflect normal women's daily practices historically. Also, in the story related in Judg 19–21, very few individual characters are mentioned, and those who are can only be understood as

237 Caroline Walker Bynum, *Holy Feast, Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley: University of California Press, 1987).

exceptional in the negative sense. Two of the few individuals found in this pericope, the old man in Gibeah and the Levite himself, act incorrectly as negative exemplars, especially in terms of proper regulation of bodies.[238]

As for the women in this pericope, the fact that their actions are filtered through the writings of men complicates this problem of exceptional versus normal.[239] Bynum points out how men often conceptualize women using the same assumptions they use to characterize men. In other words, both the primary sources themselves and much of later scholarly interpretation of these sources take male experiences as the status quo and assume female experiences are similar and involve the same components. This is the basis to Bynum's argument as to why Victor Turner's outline of the ritual process does not work for women's religious practices in the Middle Ages.[240]

Bynum's point is well-made; however, understanding women's lives can be more difficult for scholars of ancient Israel than for medieval historians. While it is true that medievalists have many accounts written by men about women's religious practices and figures, they also have access to some material written by the women themselves. The

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238 As I mention in ch. 1, depending on how we read 19:2, the Levite's *pîlegeš* might also be a negative example, having cuckolded her husband. See also n. 558 in Appendix A.

239 See my discussion above on the panopticism of men.

240 For her full argument on the limitations of Turner's model for women's religious practices, see Caroline Walker Bynum, "Women's Stories, Women's Symbols: A Critique of Victor Turner's Theory of Liminality," in *Fragmentation and Redemption: Essays on Gender and the Human Body in Medieval Religion* (New York: Zone Books, 1991), 29–49.

Hebrew Bible, on the other hand, is written by men, and so the depictions of women are already told through a male lens. We can use archaeological evidence to supplement our textual evidence, but determining the "normal" life of ancient Israelite women, especially from the time of the Judges, can at best be a partial success. Thus, any effort to understand the experiences of the women in Judges is a double-move, one which we can never fully accomplish.[241]

Working within the field of comparative literature, Ilona Rashkow offers another caution for writing about individual bodies represented in texts. Literary characters are both more than and less than real people. They resemble "real people" in that they represent human action and motivation; however, they are also textual, with their pertinent information presented or withheld narratively, and their actions determined by the writer.[242] Though in Judg 19–21 I am discussing few individual characters, Rashkow's caution still bears remembering. Even collective characters, such as the Benjaminites, the elders, or the Israelites, are literary characters. While these characters are presented as historical figures, we have little way of knowing how accurate this story is. Certainly some of their actions in the story are determined by the writers and editors of Judges.

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241 See Bynum, *Holy Feast, Holy Fast*, 6; and idem, *Fragmentation and Redemption*, 18.

242 Ilona N. Rashkow, "Oedipus Wrecks: Moses and God's Rod" in *Reading Bibles, Writing Bodies: Identity and The Book* (ed. Timothy K. Beal and David W. Gunn; London: Routledge, 1997) 72–84.

CONCLUSION

Throughout this chapter, I have presented key theories about the body which are important for my analysis of *The [Anti-] Benjaminite Novella* (Judg 19–21). Far from representing a simple concept, bodies must be analyzed from several angles in order to present a nuanced interpretation. We need to understand the body as an individual entity, a symbol of a society, and a location of power contestation. The body helps shape society and society shapes the body in a constant conversation among all actors involved. Bodies need to be disciplined and trained to function in society, and must be surveilled constantly to maintain their efficiency. Bodies are, by their very nature, active: they interact with the world around them and with other bodies; they perform societal roles and their own identity; they express their agency in a variety of ways.

The importance of bodies in a somatic society such as that depicted in Judg 19–21 cannot be understated. By not addressing the bodies, scholars have failed in their interpretations of this pericope. My investigation of the bodies depicted in *The [Anti-] Benjaminite Novella* provides essential support for my argument that the story is not one of the failure of pre-monarchic society, but one of societal success despite the absence of a king. In the following chapter, I will discuss other theoretical concepts about kinship practices in ancient Israel which are instrumental for understanding the form of society as depicted in Judg 19–21. These crucial theoretical concepts provide the foundation for my dedicated analysis of this story in chs. 4–5.

Chapter 3: Concerning Social Organization

The primary mode of interaction between the bodies in *The [Anti-] Benjaminite Novella* (Judg 19–21) is through kinship relations. Therefore, our foray into social-scientific research in order to interpret this story cannot be limited to literature about the body I discussed in the previous chapter. While scholars have analyzed the social order(s) of ancient Israel for decades, many commentaries of this pericope do not fully integrate a critical analysis of the depiction of this social order into their exegesis. This information is essential to my study of Judg 19–21 because my interpretation that this story chronicles the ability of ancient Israelite society to overcome inter-tribal conflicts without the regulating influence of the monarchy relies on a solid understanding of the social order portrayed. Within the wider field of biblical studies, anthropological and sociological research into kinship practices assists scholars in understanding the Hebrew Bible within the cultural context of its production and consumption. In the case of Judg 19–21, social-scientific analysis facilitates a careful consideration of the society remembered as the ideal for Israel in the absence of a monarchy.

In this chapter, I focus on two broad and interrelated topics essential to understanding the social order depicted in Judg 19–21: kinship practices and land inheritance. After outlining a basic description of ancient Israelite society, I focus on the issue of intermarriage, a concern reflected in Judg 21, and on the limits of endogamous marriage in the Hebrew Bible. I then consider how kinship grounds the social order depicted in *The [Anti-] Benjaminite Novella* and how this societal model differs from other

scholarly interpretations. To conclude this discussion, I give a brief summary of the house in ancient Israel in order to provide a physical counterpart to the text's description of the basic unit of society, the father's house (*bêt ʾāb*).

The subject of land inheritance arises out of my discussion of kinship practices, as the Hebrew Bible underscores the inherited nature of the land (*naḥălâ*) Yahweh gives the Israelites. Though land does not explicitly figure prominently in the text of Judg 19–21, I argue that this narrative too reflects this focus on the land. I begin with a discussion of the allotment and the inalienable nature of the land, features which highlight the importance of correct inheritance. I then discuss instances where women must play an especially central role in preserving the male line and keeping the ancestral land within the correct family: the account of Zelophehad's daughters (Num 27 and 36) and the concept of levirate marriage. As I discuss in ch. 5, due to the extraordinary circumstances of the Benjaminites after the civil war—their tribe lacks any women—the inventive solutions to this problem require significant participation on the part of the wives the Israelites find for the defeated tribe. Thus, a discussion of Zelophehad's daughters and levirate marriage provides a useful parallel to the women in Judg 21.

Kinship practices and the alliances they forge force us to examine in more detail the society depicted in this story.[243] With the *bêt ʾāb* as the foundational unit, the social

243 According to the *Encyclopedia of Anthropology*, 'kinship' refers to social relationships which usually, though not absolutely, coincide with biological relationships. Some anthropologists, such as Lewis Henry Morgan and Alfred R. Radcliffe-Brown, argue that the line of descent is the main principle of kinship (descent theories). Claude Lévi-Strauss, on the other hand, presents an alliance theory of kinship, connecting the

order depicted is one of lineages groups. Rules controlling kinship relations affect every aspect of this type of society, including the proper regulation of bodies from the household to the tribal levels. Thus, the intimate portrayals of smaller social units, such as seen in Judg 19, help illuminate society as a whole. An additional focus on the centrality of the land in ancient Israel emphasizes the fact discovered when we analyze the interactions between individuals throughout *The [Anti-] Benjaminite Novella*: the ending of Judg 19–21, where everyone returns to their ancestral land, depicts the success of tribal Israel, not its failure.

KINSHIP PRACTICES IN THE HEBREW BIBLE

My study rests upon the form of Israelite society in the absence of the monarchy, a tribal society which organizes around lineage groups. As I assert throughout this study, the society depicted in *The [Anti-] Benjaminite Novella* (Judg 19–21) centers on kinship relations, but understands the father's house (*bêt ʾāb*), not the individual, as the central unit. Thus, understanding the family in ancient Israel begins the larger discussion of the social order and its maintenance. In their overview of ancient Israelite society, Philip J. King and

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exchange of women as wives and incest prohibitions as kinship's organizing factors. See Velioti-Georgopoulos, "Kinship and Descent." Morgan documented the kinship systems of various Native American groups, beginning with his study of the Iroquois. He later used this extensive research to formulate his general theory of kinship. See Lewis H. Morgan, *The League of the Ho-de-no-sau-nee or Iroquois* (Rochester: Sage and Brothers, 1851); and idem, *Systems of Consanguinity and Affinity of the Human Family* (Washington, D.C.: Smithsonian, 1871). See also A. R. Radcliffe-Brown, "The Study of Kinship Systems," *The Journal of the Royal Anthropological Institute of Great Britain and Ireland* 71 (1941): 1–18. For his alliance theory, see Lévi-Strauss, *The Elementary Structures of Kinship*.

Lawrence E. Stager argue that, "the biblical family has six main features: it is endogamous, patrilineal, patriarchal, patrilocal, joint and polygynous."[244] These six elements of the family form the base of pre-monarchic Israel, and I will discuss them in order.

The description "endogamous" indicates the preference for marriage within a specified social group, yet the difference between endogamy and exogamy is a matter of degree and definition. In Claude Lévi-Strauss's definition, endogamy is "the obligation to marry within an objectively defined group."[245] In contrast, George Murdock defines exogamy as "a rule of marriage which forbids an individual to take a spouse from within the local, kin, or status group to which he himself belongs."[246] According to these definitions, kinship practices within the Hebrew Bible should be understood as endogamous, but the stringency of this rule fluctuates. As I will discuss below, the preferred social group for endogamous marriage is described as anything from cousin marriage, to marriage within the clan, within the tribe, or within the entire people of Israel.

"Patrilineal" concerns the rules of inheritance and descent, which here is through the male line. As I discuss below, sons typically inherit their father's land and possessions, though daughters are sometimes permitted to inherit in the absence of any sons. In a "patriarchal" society, the males, especially the *paterfamilias*, have primary control over and are the primary actors in political and social institutions. Debate has arisen recently as

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244 King and Stager, *Life in Biblical Israel*, 38.

245 Lévi-Strauss, *The Elementary Structures of Kinship*, 45.

246 George Peter Murdock, *Social Structure* (New York: The Macmillan Company, 1965), 18 n. 28.

to the accurateness of considering ancient Israel a patriarchal society, however. Carol Meyers, for example, argues instead for the term "heterarchy," a concept introduced to anthropology by Carole L. Crumley,[247] asserting that this term better illustrates the fluctuation of social relations in pre-modern societies. Instead of men having all the power, women maintain power within the household and, due to their movement from the household of their father to that of their husband, are better positioned than men to mediate between communities. Meyers additionally warns that because the household is the fundamental economic unit in pre-modern societies, including ancient Israel, we should not underestimate the power, both economic and social, of women within the household.[248]

Meyers makes excellent points about the power women have within the household, but women in the Hebrew Bible sporadically had public power, such as Deborah the prophet and judge (Judg 4–5). As we will see in Judg 19–21, women play an important role in the mediation between communities, in this case, the tribes, though their role as brides does not likely align with the power Meyers envisions them having in actively mediating

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247 See Carole L. Crumley, "Three Locational Models: An Epistemological Assessment of Anthropology and Archaeology," in *Advances in Archaeological Method and Theory, II* (ed. Michael B. Schiffer; New York: Academic Press, 1979), 141–73; and Carol Meyers, "Having Their Space and Eating There Too: Bread Production and Female Power in Ancient Israelite Households," *Nashim: A Journal of Jewish Women's Studies and Gender Issues* 5 (2002): 14–44.

248 Meyers, "Having Their Space and Eating There Too." See also Carol Meyers, "Engendering Syro-Palestinian Archaeology: Reasons and Resources," *NEA* 66 (2003): 185–97; idem, "Hierarchy or Heterarchy? Archaeology and the Theorizing of Israelite Society," in *Confronting the Past: Archaeological and Historical Essays on Ancient Israel in Honor of William G. Dever* (ed. Seymour Gitin, J. Edward Wright, and J. P. Dessel; Winona Lake, IN: Eisenbrauns, 2006), 245–55; and idem, "Was Ancient Israel a Patriarchal Society?" *JBL* 133 (2014): 8–27.

between social groups. That being said, I am not entirely convinced that the term "patriarchy" is inappropriate in describing life in tribal Israel. While women have power within the family, and occasionally outside the household, men dominate public life, including the governance of the people. Given the fact that elite males author the Hebrew Bible, we cannot overlook the overarching power exercised by men in their depiction of ancient Israelite society.

Connected to this discussion of the movement of women between their natal and married households, the term "patrilocal" indicates a married couple's place of residence within the husband's father's household. That is, a woman leaves her father's house and enters her husband's house within his lineage group (*bêt ʾāb*). King and Stager use the term "joint family" to suggest more than one generation living within each family compound, as I discuss below in the section on the house in ancient Israel.[249] Finally, the term "polygynous" describes the practice of a man having multiple wives. Though King and Stager consider ancient Israel to be a polygynous society, the strength of this preference varies in the biblical text. Certainly there are many examples of polygynous marriages, such as among many of the patriarchs and kings, but there are also hints toward an inclination for monogamy. For example, the second creation story (Gen 2:4b–3:24)

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249 A "joint family" is frequently referred to as an "extended family" which anthropologists contrast with the "nuclear family." Some anthropologists see the "joint family" as one specific form of the "extended family" in which the family's property is held jointly among all the direct male descendants. See Patricia B. Christian, "Family, Nuclear," *EA* 3:947–48; idem, "Family, Extended," *EA* 3: 943–44; and Anne Siegetsleitner, "Family, Forms of," *EA* 3:944–47.

suggests a monogamous marriage ideal where the man "cleaves to his wife" and they "become one flesh."[250] It seems likely that the wealth and social standing of an individual man and/or his family (*bêt 'āb*) influence the number of wives he has, with each increasing parallel to the other.

The above describes the form of ancient Israelite society I use in this study: endogamous, patrilineal, patriarchal, patrilocal, joint, and polygynous. In the remainder of this section, I provide more detailed discussions of elements important to kinship in the Hebrew Bible, such as specific kinship and marriage practices, the four-tiered kinship structure of pre-monarchic Israel, and the archaeology of the house in ancient Israel. Taken together, all these elements help to illuminate the social structure described in the book of Judges, remembered as the time before the advent of the monarchy, and set the background for our analysis of Judg 19–21.

Intermarriage and the Threat of Apostasy

As I discuss in ch. 5, at the end of the civil war, the Israelites face the difficult question of where to procure wives for the Benjaminite remnant (Judg 21). While they

250 This passage belongs to the Yahwistic (J) source, likely dating to the divided monarchy (922–722 BCE), though it certainly includes earlier material. See Richard Elliott Friedman, *The Bible with Sources Revealed: A New View into the Five Books of Moses* (San Francisco: Harper, 2003), 3–5. Friedman, a prominent biblical scholar, has spent much of his career studying the sources of the Torah. While this book's audience is an educated lay reader, his division of the Pentateuchal sources is highly respected. For a discussion of the relationship between the Yahwistic and Elohistic sources, see Joel S. Baden, *J, E, and the Redaction of the Pentateuch* (Tübingen: Mohr Siebeck, 2009); and idem, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* (New Haven: Yale University Press, 2012).

must resolve this dilemma creatively, they never consider acquiring wives from outside Israel. In the narrative sequence of the Hebrew Bible, apprehension over marriage to non-Israelites first appears in Exod 34:12–16, which concerns apostasy:

הִשָּׁמֶר לְךָ פֶּן־תִּכְרֹת בְּרִית לְיוֹשֵׁב הָאָרֶץ אֲשֶׁר אַתָּה בָּא עָלֶיהָ פֶּן־יִהְיֶה לְמוֹקֵשׁ בְּקִרְבֶּךָ: כִּי אֶת־
מִזְבְּחֹתָם תִּתֹּצוּן וְאֶת־מַצֵּבֹתָם תְּשַׁבֵּרוּן וְאֶת־אֲשֵׁרָיו תִּכְרֹתוּן: כִּי לֹא תִשְׁתַּחֲוֶה לְאֵל אַחֵר
כִּי יהוה קַנָּא שְׁמוֹ אֵל קַנָּא הוּא: פֶּן־תִּכְרֹת בְּרִית לְיוֹשֵׁב הָאָרֶץ וְזָנוּ אַחֲרֵי אֱלֹהֵיהֶם וְזָבְחוּ
לֵאלֹהֵיהֶם וְקָרָא לְךָ וְאָכַלְתָּ מִזִּבְחוֹ: וְלָקַחְתָּ מִבְּנֹתָיו לְבָנֶיךָ וְזָנוּ בְנֹתָיו אַחֲרֵי אֱלֹהֵיהֶן וְהִזְנוּ אֶת־
בָּנֶיךָ אַחֲרֵי אֱלֹהֵיהֶן:

Exod 34:12 Guard yourself, lest you cut a covenant with those dwelling in the land into which you are coming, lest it be a snare among you. [13]For you will tear down their altars, and shatter their pillars, and cut down their Asherot, [14]because YHWH, whose name is Jealous, is a jealous god, [15]lest you cut a covenant with those dwelling in the land, and when they run after their gods and sacrifice to their gods, one will invite you and you will eat his sacrifice. [16]You will take from their daughters for your sons. Their daughters will run after their gods and will make your sons to run after their gods.

Verses 12–15 caution the Israelites against making covenants (*bərît*) with the other people in the land, lest they stray and follow after their gods, abandoning Yahweh. V. 16 specifically warns against taking non-Israelite daughters as wives for their sons, as these

women will cause their Israelite husbands to prostitute (*znh*) themselves after foreign gods, a concern which is not entirely unfounded, as we will see below in the case of Jezebel.[251]

A proscription in Deut 7:3–4 also expresses concern over intermingling with the other people in the land due to the threat of apostasy:[252]

וְלֹא תִתְחַתֵּן בָּם בִּתְּךָ לֹא־תִתֵּן לִבְנוֹ וּבִתּוֹ לֹא־תִקַּח לִבְנֶךָ: כִּי־יָסִיר אֶת־בִּנְךָ מֵאַחֲרַי וְעָבְדוּ אֱלֹהִים אֲחֵרִים וְחָרָה אַף־יְהוָה בָּכֶם וְהִשְׁמִידְךָ מַהֵר:

Deut 7:3 Do not intermarry with them; do not give your daughters to their sons and do not take their daughters for your sons. [4]For they will cause your son to turn away from me and serve other gods. Then the anger of YHWH will be kindled against you and he will exterminate you quickly.[253]

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251 *Znh* is the same root used to describe the actions of the *pîlegeš* in Judg 19:2.

252 The prohibition in Exodus belongs to the Yahwistic (J) source (922–722 BCE), before the first Deuteronomistic redaction during the reign of Josiah (641–609 BCE), to which this passage from Deuteronomy belongs. See Friedman, *The Bible with Sources Revealed*, 3–5. Of course, even with the formal prohibition against marrying non-Israelites, these marriages occur. There regularly seems to be a disconnect between what groups claim as their marriage practices and how these practices actually look on the ground, and the Hebrew Bible is no exception to this. See Robert Oden, Jr., "Jacob as Father, Husband, and Nephew," 204.

253 According to Deut 7:2, the Israelites are supposed to destroy completely the people inhabiting the land, making the law against intermarriage moot. The disagreement between sections within the Deuteronomistic History, or within the Hebrew Bible, is not uncommon. While both Deut 7:2 and 7:3 belong to the first Deuteronomistic redaction (Dtr^1), the material possibly contains a combination of an earlier pre-DH deuteronomic law code and Deuteronomistic material. The pre-DH law code uses even earlier material, creating an uneven and, at times, contradictory text. See Antony F. Campbell and Mark A. O'Brien, *Unfolding the Deuteronomistic History: Origins, Upgrades, Present Text* (Minneapolis: Fortress, 2000), 58.

In this case, the concern is expressed both ways—the Israelites should not give their daughters in marriage to foreigners, nor should they take non-Israelite wives for their sons. Though apostasy still threatens these marriages is, Deut 7:3–4 does not specify non-Israelite wives as the cause.

Before these official prohibitions appear in the text narratively, Abraham rejects the possibility of his son and heir, Isaac, marrying a non-Israelite, specifically a Canaanite (Gen 24:3–4).[254] The Deuteronomistic History (DH) intensifies and formalizes this prohibition, expanding it to include the seven "greater and mightier" nations already in the land, as indicated in Deut 7:1–4.[255] With its focus on the centralization of the Israelite cult in Jerusalem, DH unsurprisingly warns against the potential pitfall of apostasy that

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254 As Jo Ann Hackett rightly points out, all societies have some kind of formalized kinship structures, though not all necessarily have articulated these structures in official law codes. (Jo Ann Hackett, e-mail message to author, April 14, 2013.) In addition, this Genesis passage is attributed to the J source, as is the law in Exod 34. We need to be careful about distinguishing between narrative chronology and compositional chronology, especially in these early stories which might have been based on oral tradition.

255 These nations are the Hittites, the Girgashites, the Amorites, the Canaanites, the Perizzites, the Hivvites, and the Jebusites (Deut 7:1). A list of the same seven nations appears twice elsewhere, Josh 3:10 and 24:11, though the order differs. The lists of foreign nations are never entirely standard throughout the Hebrew Bible, though they have striking similarities. Eleven other verses have a list of six nations, all of which lack the Girgashites, though the lists vary the order of the nations (Exod 3:8, 17; 23:23; 33:2; 34:11; Deut 20:17; Josh 9:1; 11:3; 12:8; Judg 3:5; and Neh 9:8). See Tomoo Ishida, "The Structure and Historical Implications of the Lists of Pre-Israelite Nations," *Biblica* 60 (1979): 461–90; and Moshe Weinfeld, *Deuteronomy 1–11* (AB 5; New York: Doubleday, 1991), 362–64.

Janzen argues that the list of previous inhabitants contains numerous variations, suggesting that this was not simply a formula used, but reflects a historical reality and an ongoing reflection among the Israelites that they were not the original inhabitants of the land. See W. Janzen, "Land," *ABD* 4:143–54.

exogamous marriage brings to the Israelites. Yet even with this restriction on non-Israelite spouses throughout the Hebrew Bible, intermarriages occur. For example, in the book of Ruth, the title character, a Moabite, first marries Mahlon, the son of Elimelech, a Judahite living in Moab.[256] After he dies, Ruth returns to Bethlehem with her mother-in-law Naomi, where she eventually marries the Judahite Boaz, a kinsman of Elimelech.[257] Though Ruth's

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256 Ruth purports to tell a story during the time period of the judges, though scholars debate its date of composition; their estimates range anywhere from the early monarchic period (*ca*. early 10th century BCE) to the post-exilic period (*ca*. late 6th century BCE). Edward Campbell, for example, suggests an early dating, stating that the theological perspective fits with the early monarchy. He posits Solomon's reign (*ca*. 970 to 931 BCE) for the basic story, which is finally fixed by the 9th century, yet still contains archaic features. Likewise, Kirsten Nielson argues that the dynasty of David is essential to understanding Ruth, and so its composition must have occurred at some point during the monarchy. See Edward F. Campbell, *Ruth: A New Translation with Introduction, Notes, and Commentary* (AB 7; Garden City, NY: Doubleday, 1975), 23–24; Kirsten Nielson, *Ruth: A Commentary* (Louisville: John Knox, 1997), 29; Louis B. Wolfenson, "The Character, Contents, and Date of Ruth," *AJSL* 27 (1911): 285–300; Jacob M. Myers, *The Linguistic and Literary Form of the Book of Ruth* (Leiden: Brill, 1955); and Robert L. Hubbard, *The Book of Ruth* (NICOT 8; Grand Rapids, MI: Eerdmans, 1988), 23–35.

Other scholars use linguistic features, such as Aramaisms, to argue for a late pre-exilic or early post-exilic date. See, for example, Frederic W. Bush, *Ruth, Esther* (WBC 9; Dallas: Word Books, 1996), 20–30. Katharine Doob Sakenfield argues for a late pre-exilic, exilic, or post-exilic date not specifically on linguistic features, but due to the theme of "the community's view of outsiders" which fits to those time periods. See Katharine Doob Sakenfield, *Ruth* (IBC 8; Louisville: John Knox, 1999), 1–5.

Finally, some scholars conclude that we cannot posit any date with certainty, as both early and late date arguments can be validly made. For example, see Jack M. Sasson, *Ruth: A New Translation with a Philological Commentary and a Formalist-Folklorist Interpretation* (Baltimore: The Johns Hopkins University Press, 1979), 240–52; and Kathleen A. Robertson Farmer, *The Book of Ruth: Introduction, Commentary, and Reflections* (*NIB* 2; Nashville: Abingdon, 1998), 895.

257 While Ruth is a Moabite, when she comes to Bethlehem, she promises to worship Naomi's God, Yahweh (Ruth 1:16), which can explain why Ruth's marriage to Boaz is not viewed negatively in the Hebrew Bible. In the Jewish tradition, Ruth becomes known as the convert *par excellence*. For example, Targum Ruth adds details to her declaration to follow Naomi (Ruth 1:16–17) to emphasize her conversion. For a discussion

marriage to Boaz does not have negative consequences,[258] throughout the book of Judges itself, the Israelites intermarry with the surrounding nations and begin to worship other gods (e.g., Judg 3:5–6). King Solomon famously has many non-Israelite wives, most likely for political purposes (1 Kgs 11:1–8). In the post-exilic period, Ezra orders those married to non-Israelite women to separate themselves from their wives (Ezra 10:10–11). Though he condemns such marriages, they obviously happen (Ezra 9:1–2; cf. Neh 10:31). Thus, throughout the history of the ancient Israelites, they marry outside of their own people, despite the prohibitions, to varying results. Even though these practices continued, as far as the legal code is concerned, endogamous marriage in ancient Israel means, at the very least, marriage within the people of Israel (*bənê-Yiśrāʾēl*).

The degree of endogamous versus exogamous marriage fluctuates based on the social standing of people involved. Kings often contract dynastic marriages with foreign women to solidify their alliances. Solomon is specifically said to marry the daughter of the Egyptian Pharaoh (1 Kgs 9:16), as well as many other women from various nations, even strictly prohibited nations (1 Kgs 11:1–2).[259] These women lead Solomon into apostasy in his old age, at which time he follows many foreign gods (1 Kgs 11:4–6). In another more

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of this treatment of Ruth, see Christian M. M. Brady, "The Conversion of Ruth in Targum Ruth," *The Review of Rabbinic Judaism* 16 (2013): 133–46. See also Robert Goldenberg, "How Did Ruth Become the Model Convert?" *Conservative Judaism* 61 (2010): 55–64.

258 Unlike the concern in Exod 34:12–16 and Deut 7:3–4, there is no indication here that this exogamous marriage leads the Israelites to apostasy. In fact, the reverse occurs: Ruth worships Yahweh.

259 Among those women explicitly forbidden in Deut 7:1, Solomon is said to marry Hittite women. See my comment on the foreign nations lists in n. 255.

infamous example, King Ahab of Israel marries Jezebel, the daughter of the king of Tyre, after which Ahab worships Baal and Asherah (1 Kgs 16:31–33).[260] Though both of these examples result in apostasy, they suggest that political alliances can at times trump religious/cultural/ideological concerns, especially in the higher echelons of society.

The Boundaries of Endogamous Marriage

As I discuss in more detail in ch. 5, at the conclusion of the civil war in Judg 20, the Israelites have reduced the tribe of Benjamin to only 600 men. Everyone else, including women and children of both sexes, has been killed (Judg 20:47–48). When the Israelites decide to provide wives to the Benjaminite remnant, they must find women within the acceptable limits of Israelite marriage: the tribes of Israel (*bənê-Yiśrāʾēl*). Though I agree with Stager and King about the endogamous nature of the Israelite family, the boundaries of endogamy in this context need further exploration.

Classifying a group as endogamous or exogamous depends on the organization and definition of that group. By surveying the archaeological record, Lawrence Stager paints us a picture of the likely arrangement of family life in villages in the pre-monarchic Iron

260 Though Jezebel is first introduced in 1 Kgs 16:31, her story can be found throughout 1 Kgs 18; 21; and 2 Kgs 9. She is often referred to as a Phoenician princess. The biblical text identifies her father as King Ethbaal of Sidon, a Phoenician city in present day Lebanon. The Hebrew Bible frequently calls all Phoenicians Sidonians. A more famous Phoenician city is Tyre, home of King Hiram who gives labor, cedar wood, and other resources to support the building programs of both David and Solomon (2 Sam 5:11; 1 Kgs 5:15; 9:11). Josephus, the Jewish historian writing in the 1st century CE, cites the Greek writer Menander (*ca*. 342–290 BCE) when he identifies King Ethbaal with Ithbaal, a priest who kills the king of Tyre and seizes the throne (*Ag. Ap.* 1.121–124; *Ant.* 8.316–224).

Age I.[261] Conjugal families, meaning a married couple and their children, live in individual houses, with multiple single-family houses linked together in compounds.[262] Each compound, which Stager labels the *bayit* 'house', consists of the typical patriarchal, patrilineal, patrilocal members: father, mother, unmarried children, married sons and their families, unmarried paternal aunts, and sometimes unmarried paternal uncles.[263] Besides these relatives, the *bayit* includes non-related individuals, such as slaves, servants, resident aliens, widows, orphans, or Levites.[264] Outside the *bayit*, larger kinship ties connected these lineages into clans. Clans contain several lineages which assume a common ancestor, but this link cannot be demonstrated genealogically.[265] Beyond the clan is the tribe, which again assumes a common ancestor; in this case, one of the twelve sons of Jacob. The collective of the tribes is the largest social unit, the Israelites (*bənê-Yiśrāʾēl*).

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261 I discuss the archaeological record of the house in Iron Age Israel below in the section "The House and the (*bêt ʾāb*) in Ancient Israel."

262 Stager, "The Archaeology of the Family," 18. Stager calls these "nuclear" families, but that term typically is used for neo-local families, or those families which are neither patrilocal nor matrilocal. As Israelite families are patrilocal, conjugal family is a more accurate term.

263 King and Stager, *Life in Biblical Israel*, 36; Stager, "The Archaeology of the Family," 19–20.

264 King and Stager, *Life in Biblical Israel*, 40. For a discussion of the widow in ancient Israel, see Paula S. Hiebert, "'Whence Shall Help Come to Me?' The Biblical Widow," in *Gender and Difference in Ancient Israel* (ed. Peggy L. Day; Minneapolis: Fortress, 1989), 125–41.

265 Stager, "The Archaeology of the Family," 20. See also Wilson, *Sociological Approaches*, 37–38.

Marriage practices are most clearly defined in the narratives of the patriarchs in Genesis, which includes female ancestors in some lineages.[266] Terry Prewitt, for example, argues that the Genesis genealogies, specifically Gen 11:27–29 and the descendants of Terah, illustrate the "ideal" marriage, which he incorrectly labels matrilineal cross-cousin marriage, or marrying the daughter of one's maternal uncle:[267]

אֵלֶּה תּוֹלְדֹת תֶּרַח תֶּרַח הוֹלִיד אֶת־אַבְרָם אֶת־נָחוֹר וְאֶת־הָרָן וְהָרָן הוֹלִיד אֶת־לוֹט: וַיָּמָת הָרָן עַל־
פְּנֵי תֶּרַח אָבִיו בְּאֶרֶץ מוֹלַדְתּוֹ בְּאוּר כַּשְׂדִּים: וַיִּקַּח אַבְרָם וְנָחוֹר לָהֶם נָשִׁים שֵׁם אֵשֶׁת־אַבְרָם שָׂרָי
וְשֵׁם אֵשֶׁת־נָחוֹר מִלְכָּה בַּת־הָרָן אֲבִי־מִלְכָּה וַאֲבִי יִסְכָּה:

Gen 11:27 These are the descendants of Terah: Terah begot Abram, Nahor, and Haran. Haran begot Lot. [28]Now Haran died in the presence of his father Terah in the land of his birth, in Ur of the Chaldeans. [29]But Abram and Nahor took wives for themselves: the name of Abram's wife was Sarai and the name of Nahor's wife was Milcah, daughter of Haran, the father of Milcah and the father of Iscah.

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266 As Emrys Peters notes, the Bedouin of Cyrenaica in modern Libya believe in a common ancestress, Sa'ada. Since they have patrilineal descent and polygamy, not unlike the ancient Israelites, a maternal name differentiates between half-siblings. Genealogically demonstrating their descent from the same 'mother' promotes social cohesion. At the same time, Peters argues that their genealogy has a fixed shape above the tertiary level, the founding ancestors of their nine tribes, while the lower levels of their genealogy fluctuate according to need. Thus, while the Cyrenaican Bedouin illustrate their descent from a common ancestress, they cannot truly demonstrate this genealogically. See Emrys Peters, "The Proliferation of Segments in the Lineage of the Bedouin of Cyrenaica," *The Journal of the Royal Anthropological Institute of Great Britain and Ireland* 90 (1960): 29–53.

267 Prewitt, "Kinship Structures," 91.

Nahor marries Milcah, the daughter of Haran (Gen 11:29), so this passage does not portray cross-cousin marriage, but rather avunculate marriage, the marriage between a man and his brother's daughter, his niece. Prewitt takes Abram, Nahor, and Haran as three separate lineages who exchange women in marriage, a practice known as circulating connubium.[268] While the marriage of Milcah to Nahor links those two lineages, the marriage of Rebekah to Isaac and the marriages of Leah and Rachel to Jacob connect the lineages of Nahor and Abram. In order to complete this pattern of circular marriage alliances, Prewitt argues that the unknown wife of Lot could have easily come from Abram's lineage, seeing that as a plausible explanation for the link between Lot and Abram.[269] Though Prewitt tries valiantly to detect cross-cousin marriage in the Genesis genealogies, his efforts are ultimately unconvincing. To begin with, only one marriage he mentions actually occurs between first cousins, which is the basic form of cross-cousin marriage:[270] Jacob marries Leah and

268 In Stager's conceptions of these terms, they can still belong to the same lineage because they can trace their genealogies back to one common ancestor, Terah. See Stager, "The Archaeology of the Family," 20. Prewitt, in return, can argue that these are not historical genealogies, but are created with specific social and political goals in mind. Thus, Terah might simply be a mythical common ancestor, leaving these as three separate lineages. See Prewitt, "Kinship Structures," 88.

269 Prewitt, "Kinship Structures," 91–94.

270 See E. R. Leach, *Rethinking Anthropology* (London: Athlone, 1961), 59–61; and Maria Velioti-Georgopoulos, "Endogamy," *EA* 2:812–14.

Rachel, the daughters of Laban, his mother's brother.[271] Secondly, his link between Abram and Haran, needed to complete the circulating connubium cycle, is plausible at best.

Robert Oden suggests a compelling alternative to the marriage preferences described in Genesis. Until it reports the twelve sons of Jacob, Genesis presents a fairly linear ancestry of the group soon to be called Israelites, from Abraham to Jacob. Those adjacent to this direct line, such as Ishmael, Lot, or Esau, are said to establish other Semitic nations, but those lineages are not typically followed in the text.[272] After Jacob, the narrative's linear genealogy becomes segmented, split between the twelve sons of Jacob, also called Israel, the ancestors of the twelve tribes of Israel.[273] These two types of genealogies, linear and segmented, create a distinction either between the Israelites and other nations (linear genealogy) or between different segments of the Israelite people (segmented genealogy). As Oden puts is, "*externally* Israel is the particular line descended

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271 Oden, "Jacob as Father, Husband, and Nephew," 194–95. Isaac may also have married his first cousin, Rebekah, depending on the identity of her father. According to Gen 24:15 and 24:24, Bethuel is Rebekah's father, while Gen 24:48 and 29:5 suggest that Nahor is her father. If Bethuel, Isaac marries his first cousin once removed.; if Nahor, Isaac marries his first cousin and this is a second example of first cousin marriage, though parallel-cousin marriage. In addition, Esau, one of Isaac's sons, marries Maḥalat, the daughter of Ishmael (Gen 28:9). Since Isaac and Ishmael share the same father (Abraham), we can understand this marriage as another example of parallel-cousin marriage.

272 The exception is Esau's lineage which is outlined as the foundation of the nation known as Edom (Gen 36:1–30). The text identifies Lot as the ancestor of the Moabites through his older daughter (Gen 19:37) and the Ammonites through his younger daughter (Gen 19:38). Ishmael, like Isaac's son Jacob, has twelve sons who found the twelve tribes (Gen 25:13–16) of the Ishmaelites (Gen 37:25), but no other descendants are listed.

273 Oden, "Jacob as Father, Husband, and Nephew," 195.

solely from Abraham and from Isaac, but *internally* the Israelites are the various descendants of the various sons of Jacob."[274]

Oden's proposal is attractive for several reasons. For the past hundred years, anthropologists like Alfred L. Kroeber and Alfred R. Radcliffe-Brown have warned scholars against drawing conclusions about historical kinship systems based on traditional literature.[275] For example, oftentimes a culture's myths will hold cross-cousin marriage as an ideal, while in reality, it is never practiced.[276] Thus, the two types of genealogies presented in the Genesis accounts are not mutually exclusive, nor necessarily historically accurate. Instead, both indicate a conscious differentiation on the part of the text between Israelites and other nations, and a way to distinguish distinct groups, such as tribes or clans, within Israel. In practice, however, marriages do not typically follow stringent guidelines throughout the Hebrew Bible. Marriage to non-Israelites is discouraged, as I discuss above, but Israelites are also not restricted to cross-cousin marriage. Marriage among the Israelites

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274 Ibid., 196.

275 Murdock, *Social Structure*, 119. Kroeber asserts that a group's kinship terminology does not closely correlate to their social institutions, that these terms reflect psychology, not sociology. Radcliffe-Brown, arguing against Kroeber, avers that kinship terminology among Australian aboriginals closely corresponds to their social organization, as variations in terminology correlate to variations in social organization, but he also disagrees with those who argue that kinship terms are survivals of the distant past. Thus, Radcliffe-Brown would likely assert that in the case of the Hebrew Bible, kinship terminology reflects the time of each text's composition, not the time being depicted. See Alfred L. Kroeber, "Classificatory Systems of Relationship," *The Journal of the Royal Anthropological Institute of Great Britain and Ireland* 39 (1909): 77–84; and Alfred R. Radcliffe-Brown, "The Social Organization of Australian Tribes: Part III," *Oceania* 1 (1931): 426–56.

276 Oden, "Jacob as Father, Husband, and Nephew," 204.

(*bənê-Yiśrāʾēl*) is the extreme limit to endogamy, though as I will discuss with Zelophehad's daughters below, one text shows a preference for closer marriages within the tribe or clan.

Amphictyony versus Lineage Groups

Based on the above literature on kinship practices in ancient Israel and my analysis of the biblical text, the model which I propose for kinship practices in *The [Anti-] Benjaminite Novella* closely corresponds to Robert Wilson's lineage model. He argues that "lineages use the concept of kinship as their fundamental organizational principle and are based on the model of the nuclear family."[277] Most everyday activities and decisions occur at the level of what I, following Stager's description, label as the *bêt ʾāb*, Wilson's lineage.[278] The larger kinship groups, the *mišpāḥâ* (clan), *šēbeṭ* or *maṭṭe(h)* (tribe), and *bənê-Yiśrāʾēl* (Israelites), rarely participate, but instead only function for military purposes at times when the smaller unit cannot sufficiently defend themselves, for some ritual practices, or to dispense inter-tribal justice. All these different groupings, from the lineage to the people of Israel, can adjudicate internal disputes depending on the individuals or groups involved. Within a single *bêt ʾāb*, the senior male member acts as leader

277 Wilson, *Sociological Approaches*, 40.

278 Stager, "The Archaeology of the Family," 19–20. In keeping with my earlier discussion of Stager's kinship model, I continue to use his classifications to specify the different kinship levels in ancient Israel. Though their terminology differs, Stager's and Wilson's kinship models complement each other and are both useful in discussing the possible social organization of the Israelites during the period of the Judges. See Wilson, *Sociological Approaches*, 40–47; and idem, *Genealogy and History in the Biblical World* (New Haven: Yale University Press, 1977), 18–37.

(*paterfamilias*) and so controls conflicts within his own lineage. When quarrels occur across lineages, clans, or tribes, a single person does not have authority over all the individuals involved, and a satisfactory replacement for the *paterfamilias* must be found. Typically, a group of elders from the various clans or tribes suffice, depending on the level of the conflict, as long as society in general and the specific parties involved are satisfied by the judgment of the elders.[279]

The story of Achan and the failed defeat of Ai (Josh 7:1–26) most clearly exemplifies the levels of kinship relations fundamental to the lineage group model. In the conquest of the land of Canaan as described in the book of Joshua, after the miraculous destruction of Jericho, the Israelites turn their attention to another town, Ai, and are defeated. When Joshua inquires of Yahweh for the reason behind their failure, Yahweh informs him that Israel sinned by not following the order of the complete destruction of Jericho, which had been placed under the ban (Josh 6:17; 7:11). The ban, *ḥērem*, means not only that every man is killed, but also the women, children, and all the animals. The city is burned to the ground and all objects destroyed, with the exception of objects made of the sacred metals (gold, silver, bronze, iron) which are added to the treasury of Yahweh.[280] When a ban is not proclaimed, victorious Israelites are allowed to capture booty

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[279]Wilson, *Sociological Approaches*, 41–43.

Barry Webb argues that most of the daily decisions occur at the level of the clan or tribe, ignoring the fundamental unit of society, the *bêt ʾāb*. Likewise, he characterizes the assembly of Israelites at Mizpah (Judg 20:1–3) as "ad hoc," misunderstanding how this lineage-based society would function in practical situations. See Webb, *The Book of Judges*, 14.

[280] As I discuss in ch. 5, a ban is declared against Jabesh-Gilead in Judg 21:11.

from the conquered people to increase their own personal wealth. With the order of complete destruction, however, the victors lose out on obtaining the spoils of war.

Yahweh warns Joshua that the Israelites will continue to fail against their enemies as long as the thieves remain anonymous and unpunished. In order to determine the culprit, Yahweh suggests a process which neatly illustrates the different kinship layers in ancient Israel. Joshua gathers all the Israelites in the morning, separated by tribe (*šēbeṭ*), at which point Yahweh indicates the tribe of Judah as responsible.[281] Next, the Judahites divide by clans (*mišpāḥâ*), and the clan of Zerahites is indicated. The Zerahites divide by household, and the Zabdi family is indicated.[282] Finally, the individual responsible, Achan, from the Zabdi family, is implicated as the culprit of the crime. Thus, in determining who stole goods from Jericho, Joshua also delineates the different kinship levels in ancient Israel.[283]

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281 The exact way Yahweh pinpoints the responsible parties is not described in the text. The verb used, *lkd*, translated as 'take' in the NRSV and the KJV, offers no clues to the method. BDB suggests that the word used in these verses indicates taking by lots, though the Hebrew term for lots, *gôrāl*, is never used in conjunction with *lkd*. Both Josh 7 and a similar story in 1 Sam 10 use *lkd* to identify a particular person, and while casting of lots is not specified, it is a common divination technique used in ancient Israel, and in the book of Joshua in particular. I will discuss the casting of lots in more detail below.

282 The MT at this point actually reads "And he brought near the clan of the Zerahites *man by man*, and Zabdi was taken" (Josh 7:17). Yet while the MT uses man (*geber*), the indication here is clearly household (*bêt ʾāb*), as the next step involves Zabdi bringing his household near man by man so the individual responsible can be determined. Thus, the "man by man" in Josh 7:17 is best understood as the leader of each *bêt ʾāb* coming forward in order to determine which household is responsible.

283 The description of Gideon's lineage in Judg 6:15 hints at these kinship levels too, though the language is not identical. In wondering why he, of all people, is chosen to lead Israel, Gideon explains, "my family is the lowest in Manasseh." The term which I translate as 'family' is *ʾelep*, which literally means 'thousand'. *ʾelep* also designates a

Understanding kinship among ancient Israelites as "houses nested within households on up the scale of the social hierarchy,"[284] as reflected in the ending to *The [Anti-] Benjaminite Novella* (see Judg 21:24), suggests that the social bonds created through kinship gave structure to society before the regulating force of the king did. Kinship ties created alliances between individuals and groups, from the level of the *bêt ʾāb* up to the *bənê-Yiśrāʾēl*. In Judges we see the conflict that can arise from these different kinship affiliations. Judg 19–21, in particular, presents a story where the majority of the tribes of Israel honor their highest affiliation, that of the *bənê-Yiśrāʾēl*, while the Benjaminites uphold their lower, and therefore closer, tie to their own tribe.

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military unit, not specifically of 1000 men, as Boling argues in conjunction with its use in the Benjaminite War in Judg 20. See Boling, *Judges*, 284–85.

In comparison to census practices at Mari, George Mendenhall argues that *ʾelep* is a military unit of variable size. Its use in the censuses in Num 1 and 26 does not signify *all* the men of military age, simply those mustered for battle at any time. During the monarchy, *ʾelep* comes to mean one thousand men, which is then read back into earlier accounts. See George E. Mendenhall, "The Census Lists of Numbers 1 and 16," *JBL* 77 (1958): 52–66.

Following Mendenhall, Norman Gottwald argues that *ʾelep* is equivalent to *mišpāḥā* in military terms. The military unit *ʾelep* does not contain a fixed number of warriors, but instead indicates either the number actually mustered by a *mišpāḥā* or the group from which fighters can be mustered. In the case of the latter, the *ʾelep* and the *mišpāḥā* represent the same social unit. Gottwald notes that *ʾelep* occasionally has a non-military use, as seen in 1 Sam 10:17–27 where the two terms are interchangeable. See Norman K. Gottwald, *The Tribes of Yahweh: A Sociology of the Religion of Liberated Israel, 1250–1050 B.C.E.* (Maryknoll, NY: Orbis, 1979), 270–84.

Ralph Klein analyzes the use of *ʾelep* in Chronicles, arguing that the Chronicler understands it as literally meaning 1000 men, regardless of how it had been understood previously. The large numbers thus support the Chronicler's agenda of highlighting the power of Yahweh over Israel's enemies. See Ralph W. Klein, "How Many in a Thousand?" in *The Chronicler as Historian* (ed. M. Patrick Graham, Kenneth G. Hoglund, and Steven L. McKenzie; Sheffield: Sheffield Academic, 1997), 270–82.

284 King and Stager, *Life in Biblical Israel*, 5.

The lineage system allows for conflicts to be resolved at all levels of society, mediating the varieties of inter- and intra-tribal cooperation found in Israel at the time of the Judges. In the case of the Levite's *pîlegeš* in Judg 19–21, while on the surface the conflict occurs between small groups of specific individuals, the implications loom large. A group of Benjaminites denies hospitality to a Levite from Ephraim and his *pîlegeš*, who is originally a Judahite from Bethlehem. Likewise, by attacking his guest, the Benjaminites deny the Ephraimite host, a stranger (*gēr*) in their city, the opportunity to offer proper hospitality and thwart any attempt at hospitality the Ephraimite host gives to the travelers.[285] Given the parties involved—multiple Benjaminites, a Levite, a Judahite, and three Ephraimites—a larger council rightly needs to decide the outcome of this event. The attempts at reconciliation from the civil war in ch. 21 also belong at the highest level of society, the Israelites (*bənê-Yiśrāʾēl*), as the dispute rages between one tribe (Benjamin) and the rest of the Israelite tribes. For both events, society at large, i.e., the Israelites, must find the results satisfactory; therefore both the leaders of the people and the people themselves come to Mizpah and Bethel to judge the conflicts (Judg 20:2; 21:2, 16).[286]

Due to its similarities to this lineage model, I must briefly consider the now widely-discredited amphictyonic league model proposed by Martin Noth, one of the major figures

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285 I explain the particularly vulnerable position a *gēr* occupies in more detail below. I analyze the event in Gibeah in detail in ch. 4.

286 Having all the people of Israel come to judge the situation, while the ideal, is obviously not possible in actual practice. However, the text makes it clear that more people than just the elders come to Bethel in judgment (Judg 21:2). I discuss Judg 21 in more detail in ch. 5.

in 20th century biblical scholarship. Both his model and the lineage group model consider how ancient Israel might have successfully functioned without a king. While like Noth I suggest throughout this study that Judg 19–21 illustrates an instance where the majority of the Israelite tribes effectively unite toward a common goal, the differences between our models are worth noting. As the name suggests, Noth bases his argument on the Delphic Amphictyony in Greece, which involves twelve member tribes who band together in a mutually beneficial alliance that supports a particular temple or temples. For Noth, the existence of twelve members is very important; he argues that this system actually exists in Israel and that the twelve tribes of Israel form their own amphictyonic league.[287] He suggests that the judge serves as the "central office in the Israelites' twelve-tribe association."[288] These allied twelve tribes worship at a central shrine before the ark. During festivals the tribes "no doubt met to consult on questions of common interest, through their official representatives" at this shrine.[289] The tribal association punishes violations of the divine law and can be called to enforce the punishment of its members.[290]

While Noth uses Judg 19–21 to support his theory of the historical presence of the Israelite amphictyonic league, Norman K. Gottwald claims that nothing in this story

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287 Martin Noth, *The History of Israel* (2nd ed.; trans. P. R. Ackroyd; London: Adam & Charles Black, 1960), 87–88. For the original German, see Martin Noth, *Das System der zwölf Stämme Israels* (Stuttgart: W. Kohlhammer, 1930).

288 Noth, *The History of Israel*, 102.

289 Ibid., 98.

290 Ibid., 104.

supports Noth's notion.[291] Likewise, Barnabas Lindars argues that the Deuteronomic historian adds an introduction to a "collection of traditions of tribal exploits" and imposes his pan-Israelite interpretation upon the book without which the amphictyony disappears.[292] Throughout the book of Judges, all the tribes do not fully cooperate regularly. As Jo Ann Hackett points out, most of the individual judges, in fact, appear to lead on a local level.[293] While we see some cooperation between tribes, an entire twelve tribe league rarely appears.[294] Noth's model, then, does not account for the social organization of the Israelites before the establishment of the monarchy as effectively as Wilson's lineage groups.

The House and the *bêt ʾāb* in Ancient Israel

As I mention above, the foundational unit of society according to the lineage model is the father's house, the *bêt ʾāb*, which can be understood as both a lineage and a physical house. Thus, reviewing the archaeological evidence for the house in ancient Israel provides us with a physical description of this social unit, which, combined with the biblical text,

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291 Gottwald, *The Tribes of Yahweh*, 350.

292 Barnabas Lindars, "The Israelite Tribes in Judges," in *Studies in the Historical Books of the Old Testament* (ed. J. A. Emerton; Leiden: Brill, 1979), 96.

293 Hackett, "In the Days of Jael," 24.

294 One example where a judge exercises wider control is Gideon who commands an army of men from Manasseh, Asher, Zebulun, and Naphtali against the Midianities (Judg 6:35). Later, Gideon requires help from the Ephraimites to capture the remaining Midianite military leaders (Judg 7:24), who are angry with Gideon for neglecting to call them up for the initial battle (Judg 8:1). Additionally, Deborah is remembered as gathering six tribes in the poetic account of her exploits: Ephraim, Benjamin, part of Manasseh, Zebulun, Issachar, and Naphtali (Judg 5:14–18).

offers us with a more detailed understanding of how the bodies in *The [Anti-] Benjaminite Novella* function in society. In his influential 1985 article, Lawrence Stager synthesizes archaeological evidence to describe the Israelite house during Iron Age I (*ca*. 1200–1000 BCE), the purported setting of Judg 19–21.[295] Around 1200 BCE, the settlement pattern in ancient Israel begins to shift from the coastal lands and the Shephelah (foothills) toward the hill country. Though significantly smaller than the earlier settlements, the number of settlements drastically increases in Iron Age I, suggesting a significant influx of people into the highlands at this time period.[296]

Archaeologists refer to the standard house found throughout Israel in Iron Age I as the "four room house" or "pillared house," with the latter term currently preferred.[297] While

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295 Stager, "The Archaeology of the Family," 1–35.

296 Ibid., 3–5. See Stager's Figure 1, pp. 2–3 for a list and map of the Late Bronze and Iron I sites in Israel's hill country. One of the technological advances of Iron Age I which allowed for the large population in the hill country is terracing, the process of converting the hillsides into flat sections of land usable for agricultural purposes. This increased area of arable land can sustain the larger population of the Iron I highlands. One of the earliest mentions of terraced farming in the Hebrew Bible comes from the Song of Deborah in Judg 5, the poetic account of the defeat of the Canaanites by Deborah, Barak, and Jael. While the prose text of this story (Judg 4) precedes this poem in the final form of the text, linguistic evidence suggests an earlier date for the poem. See my discussion of the Songs of Deborah and Miriam (Exod 15) in ch. 1.

297 Some archaeologists consider this house type unique to ancient Israel and identify sites as Israelite based on its appearance. It now seems unlikely, however, that we can consider this form strictly Israelite, especially in the Iron I period when the Israelites intermingle with many other indigenous groups. Remember that while the book of Joshua claims the Israelites have complete victory over the native groups when they enter the land, Judges relates a repeating cycle of apostasy, oppression, and deliverance which relies on the continued presence of other groups in the land. For an overview of the distribution of the pillared house outside the limits of Iron Age Israel, see Elizabeth Bloch-Smith, "Israelite Ethnicity in Iron I: Archaeology Preserves What Is Remembered and What Is

every example of this house type does not have four rooms, it is thus named because of its general layout: a large courtyard surrounded by two to four rooms. Cooking and other household activities likely take place in the courtyard since numerous objects, such as pottery containers and pots, have been found there.[298] Livestock may have shared the domestic space with the family; some houses have small arched passageways leading into a smaller side rooms which never have cisterns, ovens, or hearths, and are usually paved with flagstones instead of being plastered. If there are second stories to these houses, Stager notes that the animals' heat provides an effective heating system for the people sleeping in the upper story at night.[299]

Based on the architecture of these pillared houses, Stager makes a series of claims about the social structure of the ancient Israelites in Iron Age I, and these observations aid my analysis of the social structure depicted in *The [Anti-] Benjaminite Novella* with its foundation on the *bêt ʾāb*. Given the typical size of the house, each most likely accommodated a single nuclear family—a married couple, plus their children and

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Forgotten in Israel's History," *JBL* 122 (2003): 401–25. For the argument that the four-room house is characteristic of Iron Age Israel, see Avraham Faust and Shlomo Bunimovitz, "The Four Room House: Embodying Iron Age Israelite Society," *NEA* 66 (2003): 22–31.

Stager suggests that the Israelite four room house probably has Canaanite precursors, as do many Israelite objects and practices in Iron Age I, and likely develops as a result of agricultural life. See Stager, "The Family in Ancient Israel," 17.

298 Stager, "The Family in Ancient Israel," 11.

299 Ibid., 12.

servants.[300] Yet while only nuclear families occupy each house, clusters of dwellings are found in various Iron Age I sites. These houses usually share an open courtyard, but each house has its own entrances. In a study of a modern Arab village in the Middle East, Baytīn,[301] Abdulla Lutfiyya describes these compounds as "joint families," *zaʿila* in Arabic. The members of a joint family include the father and mother, their unwed children, their wedded sons with their own wives and children, unwed paternal aunts, and occasionally unwed paternal uncles. The eldest male, typically the father/grandfather, governs this entire unit.[302] This arrangement, of course, should remind us of the *bêt ʾāb* in the Hebrew Bible, as I discuss above. There, too, the male head of household, the *paterfamilias*, governs the household. It is thus likely that these compounds reflect the *bêt ʾāb* as the most basic unit of governance in pre-monarchic Israel.[303]

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300 Using a comparable modern village, Stager concludes that the average area a person occupies in each house is 9–10 m^2. This number suggests a family size during Iron Age I at 4.1–4.3 persons in the highlands. Given the high birth and mortality rates at this time, couples likely have more than two births, but only two offspring survive. Ibid., 18.

301 King and Stager note that this modern village is the site of the ancient Israelite religious center of Bethel, a location mentioned in Judg 20:18, 26, 31; and 21:2 as a place where the Israelites inquire of Yahweh. See King and Stager, *Life in Biblical Israel*, 36.

302 Abdulla M. Lutfiyya, *Baytīn, A Jordanian Village: A Study of Social Institutions and Social Change in a Folk Community* (The Hague: Mouton, 1966), 142–43.

303 The formation of the *bêt ʾāb* may have risen out of the agricultural context. In order to succeed at farming and husbandry, labor needs must be met and land rights addressed. By living together as a single social and economic unit, the *bêt ʾāb* collectively farms the land, grazes the herd, and lives from its harvest. The land belongs to the particular *bêt ʾāb* and remains with that family, as I discuss in more detail below. When the patriarch dies, his eldest son inherits, and while the shape of the joint family shifts, the land stays with its owners. See Stager, "The Family in Ancient Israel," 20–23.

Stager suggests that Micah's household in Judg 17–18, the first story in the Appendices to Judges, provides us with a description of how the *bêt ʾāb* may have actually looked and functioned in the period before the monarchy. Residing in the hill country of Ephraim, Micah is the head of his household, as we can see by the constant reference to Micah's house (*bêt mîkāyəhû*/*mîcâ*) throughout the story (e.g., Judg 17:4). He resides in his family compound with his widowed mother, his sons (perhaps with their families), and the Levite he installs as priest. Judges 18:22 illustrates the presence of multiple buildings in the compound, for when the Danites escape with Micah's cultic belongings, "the men who were in the houses that were with Micah's house" followed in pursuit. Thus, the combination of the biblical text, including Micah's story, and the archaeological evidence provides a helpful description of the basic social/economic/political unit during the time period depicted in Judges, the *bêt ʾāb*.[304] This description aids our interpretation of Judg 19–21 as an example of the success of the lineage group society of pre-monarchic Israel in overcoming inter-tribal conflict.

LAND INHERITANCE IN THE HEBREW BIBLE

As I mention in the introduction to this chapter, one primary concern for ancient Israelites which influences their kinship practices is the proper inheritance of 'ancestral land', known in Hebrew as *naḥălâ*. I argue that land inheritance even backgrounds the entire pericope of Judg 19–21, as the story only successfully ends when all parties return to their own land (Judg 25:23–24). In this section, I cover many aspects of land inheritance

304 See Ibid., 22, for his description of Micah's compound.

and its relation to kinship practices in the Hebrew Bible. The narrative describes the Israelites as initially dividing up the land by lot when first entering the land (Josh 13–21), and asserts that from that time every piece of property is considered inalienable from its assigned family. Typically, the land passes down the male line, following the normal practice of patrilineal inheritance in ancient Israel.[305]

Allotment of the Promised Land

In order to comprehend the importance of the land and its maintenance to the ancient Israelites, we first need to discuss its ultimate ownership and allotment. At various points the Hebrew Bible declares Yahweh's ownership over the land in which the Israelites settle. This ownership can become confused with the ownership attributed to the people themselves. For example, the land is described as "their land" (*ʾadmātām*), referring to the Israelites in Isa 14:1, yet is called "the land of Yahweh" (*ʾadmat YHWH*) in the very next verse. In the Holiness Code (Lev 17–27), Yahweh makes clear the true owner of the land:

וְהָאָרֶץ לֹא תִמָּכֵר לִצְמִתֻת כִּי־לִי הָאָרֶץ כִּי־גֵרִים וְתוֹשָׁבִים אַתֶּם עִמָּדִי׃

Lev 25:23 The land will not be sold forever, for the land is mine [Yahweh's]; you are but aliens and sojourners with me.

305 King and Stager, *Life in Biblical Israel*, 37–38.

The text also regularly notes that the land did not originally belong to the Israelites, but to other groups of people.[306] In lists of its original inhabitants, the land is often referred to as the "land of Canaan/the Canaanites," especially in the Tetrateuch (Genesis–Numbers). For instance, Exod 3:17 reads, "I said that I will bring you up out of the misery of Egypt to the land of the Canaanites, the Hittites, the Amorites, the Perizzites, the Hivvites, and the Jebusites, to a land of flowing milk and honey."[307]

Yahweh promises the land to the Israelites (*ʾmr*; *dbr*; or *šbʿ*)[308] and the Israelites must then enter the land (*bwʾ*), possess the land by dispossessing others (*yrš*), and divide up the land (*ḥlq*). Once received, the land is described as the Israelites' inheritance (*naḥălâ*) and possession (*ʾăḥuzzâ*).[309] The term inheritance, in particular, suggests that the right to the land is not transferred to the people by a sale, but as a gift such as a father leaves a

306 Of course, some scholars suggest that the Israelites are actually Canaanites who take on a new identity. For instance, according to Mendenhall and Gottwald, the Israelites are Canaanite peasants who revolt against their oppressors, withdrawing from the urban centers in the lowlands to the highlands. Stager also argues for their Canaanite origins, but instead suggests a process of ruralization which occurs with the change to agriculture, instead of revolution. See George E. Mendenhall, "The Hebrew Conquest of Palestine," *BA* 25 (1962): 66–87; idem, *The Tenth Generation: The Origins of the Biblical Tradition* (Baltimore: The Johns Hopkins University Press, 1973); Gottwald, *The Tribes of Yahweh*; Lawrence E. Stager, "Forging an Identity: The Emergence of Ancient Israel," in *The Oxford History of the Biblical World* (ed. Michael Coogan; Oxford: Oxford University Press, 1998), 141–42.

307 See my discussion of the list of nations in n. 255.

308 Note that a specific word for "promise" does not exist in biblical Hebrew, though the concept appears in the biblical text. See Janzen, "Land," 4:144.

309 Ibid., 145; and Friedrich Horst, "Zwei Begriffe für Eigentum (Besitz): *naḥălâ* und *ʾăḥuzzâ*," in *Verbannung und Heimkehr: : Beiträge zur Geschichte und Theologie Israels im 6. und 5. Jahrhundert v. Chr. Wilhelm Rudolph zum 70. Geburtstage* (ed. Arnulf Kuschke; Tübingen: Mohr, 1961), 155.

son.[310] The term possession (*ʾăḥuzzâ*) reinforces the view that the Israelites do not originally inhabit the southern Levant, but instead seize (*ʾḥz*; same verbal root as the noun "possession") it from the Canaanites, the Hittites, the Perizzites, and all the other peoples already living in the land.

When the Israelites enter the land of Canaan, Yahweh divides up the land by having the people cast 'lots', *gôrāl*.[311] The fact that the land is divided among the Israelites by casting lots further emphasizes the fact that the land belongs to Yahweh who permits the Israelites to possess it as their inheritance as part of Yahweh's chosen people. The Israelites interpret the results of casting lots not as random, but as the will of Yahweh, a form of divination. As Prov 16:33 claims, "The lot (*gôrāl*) is cast in the lap, yet from Yahweh is the [its] entire decision." Lots are also used in the selection of the scapegoat (Lev 16:8), to determine who would engage in a battle (Judg 20:9), to give order to priestly duties (Neh

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310 Ibid., 145. While most scholars understand "inheritance" (*naḥălâ*) in terms of inheritance laws, Harold Forshey argues that it originates as a term similar to the land tenure given to a chosen servant by his feudal lord. This land, a fief, is hereditary, and thus the term eventually expands to the wider definition of "inheritance." Regardless, the term indicates a personal relationship between Yahweh and the Israelites, not a business relationship, and highlights the hereditary nature of the land. See Harold O. Forshey, "The Hebrew Root *NḤL* and Its Semitic Cognates" (Ph.D. diss., Harvard University, 1973), 236.

311 One-third of Joshua is devoted to outlining the division of the land into its tribal allotments (Josh 13–22), suggesting its importance. Yahweh initially instructs Moses on the division of the land in Num 26:52–56, after a census of the people. The land is divided proportionally to the size of each group, so that large groups receive more land than smaller groups (Num 26:54). Yahweh stipulates that within this constraint, however, the land is divided by lot according to ancestral tribe (*maṭṭôt-ʾăbōtām*; Num 26:55). Throughout the actual allotment of the land in Josh 13–22, the phrase "according to their clans" (*ləmišpəḥōtām*) repeats constantly, indicating the land should be divided as widely as possible, so that each clan, and presumably each household, obtains their own swath of land. See Christopher J. H. Wright, "Jubilee, Year of," *ABD* 3:1026.

10:35), and, as we saw with the story of Achan, to determine guilt (Josh 7:14–18; see also Jonah 1:7). The hand of Yahweh in apportioning land can also be clearly seen in Isa 34:17: "For he has cast the lot (*gôrāl*) for them, and his hand divided it [the land] for them in a line. They will possess it forever; from generation to generation they will dwell in it." Not only did the land itself ultimately belong to Yahweh, but so did its specific division; Yahweh simply permits the Israelites to possess it as their inheritance.

The Significance of Land in Ancient Israel

Since the successful reconciliation between the warring tribes only concludes when all parties return to their ancestral land (*naḥălâ*; Judg 21:23–24), we must examine the requirement that the land remain with its properly appointed owners. Inalienability of the land is one of the primary motivations for the Israelites to provide wives to the Benjaminite remnant.[312] In the rare cases when land is sold outside of the family, it is to be returned during the jubilee year (*šənat hayyôbēl*).[313] This rule purportedly applies to all instances of

312 Wright, "Family," 2:763. As Wright notes, the intention of the land tenure system in ancient Israel is to widely disperse the ownership of the land among economically viable family units (the *bêt ʾāb*). The Benjaminites must keep their land in order to thrive again. The notion of inalienable land is not unique to ancient Israel but appears throughout the ancient Near East. For example, the Sigrist text, probably from the ancient city of Emar (modern Syria) and dating to the Late Bronze Age, succinctly states this position: *bītu ša be-li-šu<-nu> a-na na-ka-ri la-a i-na-din*, "Their lord's estate may not be given to a stranger." Text and translation taken from John Huehnergard, "Biblical Notes on Some New Akkadian Texts from Emar (Syria)," *CBQ* 47 (1985): 433 n. 22.

313 Wright, "Jubilee," 3:1026. We have little evidence of the actual practice of the jubilee years in ancient Israel, especially in the pre-exilic period. Instead, some tribes grow in importance (and land) over the years, while others simply fade away. These laws make clear, however, the theoretical importance of the ancestral land and its proper ownership to the Israelites. The biblical text recounts the sabbatical year being practiced in the post-

land sale, even when a poor family's kinsman-redeemer (*gōʾel*), the closest relative, buys its ancestral land (*naḥălâ*) so that it does not leave the clan (*mišpāḥâ*).[314] Throughout the Hebrew Bible, we find a few stories where land is transferred between owners, but this transfer rarely occurs voluntarily.[315] Besides the lack of biblical evidence for the sale of land outside of the father's house (*bêt ʾāb*), we have no definite inscriptional evidence from ancient Israel of their sale or purchase of land. This dearth of evidence is especially significant considering the wealth of records on this topic from other surrounding ancient Near Eastern societies.[316]

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exilic period, such as Neh 10:32, which notes the people will "forego the seventh year and the usury of every debt." See the discussion in Milgrom, *Leviticus 23-27,* 2246–48.

314 See Lev 25 for a description of the jubilee, including its relationship to the (*gōʾel*).

315 A great example of this involuntary transfer of land is the infamous story of Naboth's vineyard in 1 Kgs 21. King Ahab of Israel wants Naboth's vineyard and offers to buy it, but Naboth refuses, noting that it should remain within his family. In order to obtain the land, Ahab's wife Jezebel orders Naboth's death, so that Ahab can take possession of the vineyard. Other stories of the transfer of land include Ruth's kinsman Boaz buying her deceased husband's land and marrying her as her kinsman-redeemer (*gōʾel*) in Ruth 4; and the sale of land by a non-Israelite, such as Araunah the Jebusite selling land to King David (2 Sam 24:18–24) or King Omri of Israel buying land from Shemer to build his capital city, Samaria (1 Kgs 16:24). The narrative in Neh 5:3 relates the practice of some Israelites mortgaging their land to pay off debts, but such a sale is presented as a last resort when their families are starving.

316 Wright, "Family," 2:764. One possible piece of evidence from ancient Israel is the unprovenanced second Moussaieff ostracon from the 8th or 7th century BCE. If it can be trusted, this sherd contains a letter in which a widow pleas for the right to her deceased husband's land. She and her husband have no sons, perhaps no children at all, but rather than the land moving to her husband's closest kin (see the section on Zelophehad's daughters below), the widow wants the land. This ostracon does not involve the sale of property, but still illustrates the importance of the land for survival and the proper lines of inheritance for the land. See Pierre Bordreuil, Felice Israel, and Dennis Pardee, "Deux ostraca paléo-hébreux de la Collection Sh. Moussaïeff," *Semitica* 46 (1996): 49–76; and

In ancient Israel, those without land, the alien (*gēr*) and the sojourner (*tôšāb*), are especially vulnerable. These individuals survive by hiring themselves out to the Israelites as laborers or craftsmen. Thus, they live at the mercy of the household's welfare, for if the household fails economically, their services will no longer be needed. As employees, they enjoy the protection and security of the household, which disappears once they no longer work for them. Because of their precarious position, the alien and sojourner are mentioned specifically in the Israelite laws, often along with the orphan (*yātôm*) and the widow (*ʾalmānā*), as classes of people in need of particular care. *The [Anti-] Benjaminite Novella* dramatically illustrates danger present for a *gēr* in ancient Israel.

The Daughters of Zelophehad and the Inheritance of Women

Two major issues with the loss of the tribe of Benjamin in Judg 21 stem from the fact that the Benjaminites will be lost from their kin and that their land (*naḥălâ*) will be lost to its ancestral owners. Numbers 27:1–11 and 36:1–12, the story of Zelophehad's daughters, reflects this same concern.[317] In the narrative of the census taken in the

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idem, "King's Command and Widow's Plea: Two New Hebrew Ostraca of the Biblical Period," *NEA* 61 (1998): 2–13.

Scholars debate, however, whether the Moussaieff ostraca are genuine. Chris Rollston notes that the ink used on the ostraca is chemically similar to ancient inks, but he eventually uses paleography to prove the ostraca are forgeries. Israel Eph'al and Joseph Naveh highlight the phrases the ostraca use which are similar to biblical phrases and other famous inscriptions. They also point out the peculiarities in script of the ostraca. See Chris A. Rollston, "Are They Genuine? Laboratory Analysis of the Moussaïeff Ostraca using the Scanning Electron Microscope (SEM) with an Energy Dispersive X-Ray Microanalyzer (EDS)," *NEA* 61 (1998): 8–9; and Israel Eph'al and Joseph Naveh, "Remarks on the Recently Published Moussaieff Ostraca," *IEJ* 48 (1998): 269–73.

317 The language used in each instance is similar. Zelophehad's daughters and his clansmen both question why his land should "be taken away" (*grʿ*) from the rest of his tribe

wilderness, we see an odd insertion which sets up this story: "Now Zelophehad, son of Hepher did not have any sons, but only daughters. Now, the names of the daughters of Zelophehad were Machlah, Noah, Hoglah, Milcah, and Tirzah" (Num 26:33). The daughters go before Moses, Eleazar, the chiefs, and the entire congregation in order to ask for their father's property (*ʾăḥuzzâ*): "Why should the name of our father be taken away from the midst of his clan because he did not have a son?" (Num 27:4a). After hearing their plea, Yahweh responds in favor of them, telling Moses to give them a "property of inheritance" (*ʾăḥuzzat naḥălâ*) among their father's brothers, so that their father's inheritance (*naḥălâ*) passes to them (27:7). Yahweh then describes the line of succession for a man's inherited land: son, daughter, brothers, father's brothers, and the catch-all category, the next closest kin.[318]

Though Zelophehad's daughters are able to inherit their father's land, this permission has some limitations. In Num 36, members of Zelophehad's clan approach Moses with an issue of their own: if the daughters marry husbands outside of the tribe of Manasseh, then Zelophehad's inheritance will leave Manasseh's tribe and be added to the tribe of their husbands. This concern indicates that while the daughters are allowed to inherit, they only hold the land until they marry, at which point the land will transfer to their husbands' ownership. As a result, Yahweh commands Moses to tell the Israelites that

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(e.g., Num 27:4; 36:3). After the war in Judges, the Israelites mourn because one tribe will now "be lacking" (*pqd*; Judg 21:3) or "cut off" (*gdʿ*; Judg 21:6) from the rest of the tribes.

318 Note that while daughters can inherit in the case of no sons, no other female relatives can inherit, with the possible exception of the last category, the next closest kin.

the daughters of Zelophehad, and indeed any daughter who inherits land according to the lines of inheritance outlined in ch. 27, must marry within their tribe (36:6–9).[319] The daughters receive the latitude to marry whomever they choose within the tribe, giving them more power over their marriage than most other women, yet they cannot marry outside the tribe, which assures that no land transfers between tribes. At the end of the story, the daughters of Zelophehad marry within the tribe of Manasseh (Num 36:12).

Besides illustrating the question of land transference among the ancient Israelites, this story reflects another fear found also in Judg 19–21: the fear of losing a tribe. The origin myth of the ancient Israelites, especially concerning their entry into the promised

319 Scholars debate as to whether the daughters are required to marry within their father's clan (*mišpāḥâ*) or tribe (*šēbeṭ*/*maṭṭe(h)*). When the leaders of the Gilead lineage within Manasseh raise their concerns, they speak at the tribal level—they do not wish any land to be removed from their tribe's inheritance (*naḥălâ*). Yahweh orders the daughters to marry "within the clan of the tribe of their father" (*ləmišpaḥat maṭṭê ʾăbîhem*; Num 36:6; see also Num 36:8), which at first appears to demand an even smaller pool of potential mates, those from their father's clan. However, in Num 36:7 and 9, the reasons behind Yahweh's mandate remain so that "no inheritance of the Israelites will move from tribe to tribe" (*mimmaṭṭe(h) ʾel-maṭṭe(h)*; Num 36:7). Neither the petitioners nor Yahweh ever raise a concern over the transfer of land between clans within the same tribe.

We should note that the consonantal text for the construct of clan in the singular, *mišpaḥat* משפחת, looks nearly identical to the plural construct form, *mišpəḥôt*; משפחות. In fact, if we wrote the plural construct form without the *mater lectionis*, in this case a *waw* to indicate the *ḥōlem* vowel (the long "o" vowel), the consonantal is identical: משפחת. Therefore, we can possibly read the forms found in Num 36:6, 8 as the defective spelling of the plural construct form, *mišpəḥōt*, changing the requirement of the daughters' marriage to within "the *clans* of the tribe of their father." The defective spelling is found a few verses later in Num 36:12 to indicate that the daughters must marry someone from among the clans of their father's tribe, which strengthens the defective plural reading "clans" in Num 36:6, 8, meaning Zelophehad's daughters only have to marry within the tribe of Manasseh.

land, centers around the set of twelve tribes.[320] Without these rules of inheritance, women would have likely been excluded from inheriting land in ancient Israel.[321] Yet even here, inheritance is granted to women only because the daughters point out the unfairness that their father's name, as head of his own *bêt ʾāb*, should disappear. The second part of their tale (Num 36:1–12) illustrates the general concern among the Israelites that land stay with its proper owners and not be transferred.[322] In order for land to remain as Yahweh originally divided it, every tribe and clan needs to endure in Israel.

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320 I call this an "origin myth" because we have no clear evidence to confirm the biblical story of the Israelites' entry in the land, nor of the existence of twelve tribes. In fact, very early in the history of the ancient Israelites presented in the Hebrew Bible, tribes begin to disappear, never to be mentioned again. However, the collective memory of the Israelites as a people remember the twelve tribes.

In addition, while the tribes included among the twelve are fairly standard throughout the Hebrew Bible, there are some discrepancies. For instance, Judg 5, one of the earliest writings in the Hebrew Bible, lists only ten tribes. Given the fact that many of the judges function regionally, the failure to list all twelve tribes is not itself striking, but the names listed do not entirely match up to the common set of twelve names. One name, Machir (*mākîr*), is not listed among any of the other tribal lists, but is named as a son of Manasseh, son of Joseph and one of the common tribal names (Num 26:29). Possibly Machir represents the otherwise missing tribe of Manasseh. In a similar vein, Gilead, a mountainous region east of the Jordan River occupied by the tribes of Reuben and Gad (Num 32), is listed as a tribe. As Reuben is already mentioned in the poem, Gilead can here refer to the tribe of Gad. If we take these substitutions, then only two tribes are missing from the list: Simeon and Judah, not including Levi, which typically does not appear due to their lack of tribal allotment. Note also that the later prose account of Deborah's period as judge only counts two tribes as participating in the battle against the Canaanites, Zebulun and Naphtali, though Deborah herself works in the tribal area of Ephraim. The use of these substitute names, however, indicates the uncertainty over the tribes of Israel, which supports the collective memory and origin myth aspect of the twelve tribes.

321 Calum Carmichael, "Inheritance in Biblical Sources," *L&L* 20 (2008): 232.

322 Both Seebass and Taggar-Cohen point out the importance of land in the book of Numbers, arguing that it is the unifying theme of the text. We could perhaps claim that land is a unifying theme throughout the entire Hebrew Bible. See Horst Seebass, "'Holy'

The story of Zelophehad's daughters gives us some insight into the kinship relations of the ancient Israelites, as well as the role of women in these relations, which is especially important for my project.[323] The daughters ensure that no lineage group is blotted out of existence, just as the women who marry the Benjaminites in Judg 21 prevent the tribe from disappearing. In addition to Num 27 and 36, non-biblical sources attest to the importance of women in maintaining ancestral land. Due to the strong link between a lineage group and particular portions of land, it should come as no surprise that some place names correlate with the inhabitants. On Samaria ostraca from the 8th century BCE, a few centuries past the time of the judges, seven territorial names derive from descendants of Manasseh. Five are named for his great-grandsons: Abiezar, Heleq, Shechem, Asriel, and Shemida; two for Zelophehad's daughters, Manasseh's great-granddaughters: Noah and Hoglah.[324] These names suggest not only that remnants of the lineage divisions last into the monarchic period, but that these two women are important members of the tribe of Manasseh who kept the land within their father's line.

Land in the Old Testament: Numbers and Joshua," *VT* 56 (2006): 93; and Ada Taggar-Cohen, "Law and Family in the Book of Numbers: The Levites and the *Tidennūtu* Documents from Nuzi," *VT* 48 (1998): 75.

323 This scene also presents a clear instance of the control of the *paterfamilias* over sexual access to a woman's body.

324 Stager, "Archaeology of the Family," 24. Similarly, Seebass notes that Noah, Hoglah, and Tirzah are place-names in ancient Israel. Seebass, "'Holy' Land in the Old Testament," 97.

Judah, Tamar, and Levirate Marriage

A final illustration of the focus throughout the Hebrew Bible on proper land inheritance and the continuation of each lineage is the concept of levirate marriage, where the kinsman-redeemer marries a deceased kinsman's wife.[325] We first read about levirate marriage in the story of Tamar in Genesis, discussed below, but the regulation is explained in Deut 25:5–10. According to this rule, if a man who dwells with his brothers dies without a son, the *yābām*, the husband's brother should marry the widow, performing his role as levirate (Deut 25:5). In the event that this couple produces a son, the first-born is counted as the child of the deceased husband, thus taking his name and continuing his line (Deut 25:6). If, however, the *yābām* refuses to marry his brother's wife, the widow has the ability to have him punished for failing to do his duty (Deut 25:7–10).[326]

The practice of levirate marriage in ancient Israel stands as an interesting parallel to the reconciliation of the tribes in Judg 21, as I discuss in ch. 5. In both instances, the problem of continuing the male line requires creative alternatives to typical marriage practices. These substitutions are socially sanctioned solutions permitted when the preferred method of marriage and procreation is not possible.[327] In the case of levirate

325 The name comes from the Latin term *levir* 'husband's brother' or 'brother-in-law', and delineates the treatment of a childless woman in the event of her husband's death. See Wright, "Family," 2:763.

326 In Gen 38, for example, Judah's son Onan refuses to impregnate his deceased brother's wife Tamar, and instead spills his semen on the ground. Due to his failure to perform his duty, Yahweh kills him. Ruth's kinsman-redeemer also refuses his duty, and so is punished in a way similar to what is described in Deut 25 (Ruth 4:4–8).

327 See Bates, Conant, and Kudat, "Introduction: Kidnapping and Elopement as Alternative Systems of Marriage," 233–37.

marriage, the deceased husband cannot himself create a male heir, and so a proxy, his brother, must stand in. In *The [Anti-] Benjaminite Novella*, some Benjaminite men remain, but they have no women to bear their heirs. In this way, the women from Jabesh-Gilead and Shiloh in Judg 21 serve the same function as a kinsman-redeemer in levirate laws: they provide an alternative method for the male lines to survive.

CONCLUSION

Throughout this chapter, I have outlined a plausible description for the pre-monarchic society depicted in Judges, a society based on successive layers of lineage groups.[328] The regulation of bodies as I discuss in ch. 2 and this social form just described connect closely. For example, a key element to both kinship relations and land inheritance is proper marriage practices. As I mention above, the ancient Israelites express concern over the threat of apostasy in exogamous marriage, and so hold endogamous marriage as the preferred form. Likewise, the tale of Zelophehad's daughters indicates the importance of land remaining in its ancestral hands and requires female inheritors to marry within their own tribe in order to prevent the transfer of land between tribes. In the patriarchal society of the Hebrew Bible, the *paterfamilias* typically controls a daughter's marriage and

328 Radcliffe-Brown's warning that kinship terminology represents the time period of writing, not the past, bears remembering. As I have shown throughout this chapter, there is frequently a disconnect between the standards for society presented in the Hebrew Bible and the actual practices depicted. Also, since much of the biblical text presents idealized or exceptional situations, we must question its relevance to the historical reality of ancient Israel. While comparative and archaeological evidence helps inform the text, we need to constantly be aware of the limitations of our analyses. See Radcliffe-Brown, "The Social Organization of Australian Tribes," 426–56.

therefore sexual access to a woman's body. With just this one example, then, we see the inviolable connection between bodies and society in ancient Israel.[329]

With these two theoretical chapters in mind, I will next turn to my analysis of *The [Anti-] Benjaminite Novella* in chs. 4–5. The society idealized in Judg 19–21 is presented as endogamous, patrilineal, and patriarchal. The fact that the Levite has a *pîlegeš* perhaps hints at a polygynous society (Judg 19:1), though the narrative gives no indication whether he also has a primary wife. Presumably this society is also patrilocal and joint, but the rare glimpses we get of a *bêt ʾāb*, the *pîlegeš*'s father's household (Judg 19:3–9) and the Ephraimite host in Gibeah (Judg 19:21–27), give no indication of this. Though land does not explicitly figure prominently in Judg 19–21, the fact that the success of the rapprochement ends with everyone returning to their ancestral land (*naḥălâ*; Judg 21:23–24) suggests that the concern for the ancestral land implicitly informs the novella. Finally, at its most basic level, Judg 19–21 is a story about bodies, about how they interact with one another and with the world, and how that interaction leads to the success or failure of the social order. I will begin in ch. 4 with the disordering of society (Judg 19–20) and conclude in ch. 5 with the reordering of society (Judg 21).

329 As I discuss in ch. 2, one of the four concerns of a somatic society is the reproduction of its population. See Turner, *The Body and Society*, 20.

Chapter 4: Of the Disordering of Israelite Society

Through the course of the previous two chapters, I argue that the society depicted in Judg 19–21 is intimately and overtly linked to kinship relations, which makes the proper regulation of bodies essential to maintaining social order. Like Turner's somatic societies in the modern West, control of the body stands at the center of society's organization. We see in ancient Israelite society the importance of proper marriage practices, the regulation of individual sexuality, and appropriate behavior between people in public and in private.[330] Keeping in mind the relevant theories underlining the somatic society portrayed in Judges, I now turn to the text of *The [Anti-] Benjaminite Novella* itself. In this chapter, I consider the mostly improper regulation of bodies described in the Levite's visit to Gibeah (Judg 19) and the civil war between the tribe of Benjamin and the rest of the Israelite tribes (Judg 20). I argue that the incorrect regulation of various bodies in Judg 19–20 results in disorder, an illness of society.

I first discuss the societal role of the *pîlegeš*, the Levite's secondary wife, the pivotal figure in the events at Gibeah. I then examine the two scenes of hospitality depicted in Judg 19: the proper hospitality offered to the Levite by his father-in-law in Bethlehem, and the improper hospitality offered to the Levite and his party by the Ephraimite man in Gibeah. Following the order of the story, I then discuss the concept of the fragmented body, both the individual *pîlegeš* and its symbolic representation of society. Finally, I look at the

330 See Turner, *Regulating Bodies*, 20; and my discussion of Turner's somatic society in ch. 2.

various social roles present in Judg 20, both those related to kinship relations, and thus to the fabric of society as I discuss in ch. 3, and the role of the warrior.

In Judg 19–20, the *paterfamilias* at all levels of society frequently fails in his duty to properly oversee the individuals under his control, both female and male. These chapters include improper regulation of an individual's sexuality, inappropriate behavior between host and guest (*gēr*), and inadequate allegiance to the Israelites (*bənê-Yiśrāʾēl*). In light of the theories on the body discussed in ch. 2 and the social system outlined in ch. 3, I conclude that the social disorder created through the deviant behavior in Judg 19–20 requires correction through the proper regulation of bodies in Judg 21.

THE *PÎLEGEŠ*

In order to understand what control the Levite can rightfully exercise over his *pîlegeš*, we should not allow our modern conceptions of a "concubine," the traditional translation of *pîlegeš,* to influence our understanding of this term.[331] English synonyms to "concubine" include "mistress," "doxy," "courtesan," and "other woman," all of which

331 As I mention in ch. 1, recently some scholars have abandoned the traditional translation of 'concubine' in favor of the term 'secondary wife', arguing that the latter more accurately describes this woman's position within the household (*bêt ʾāb*).

In their 1958 lexicon, Koehler and Baumgartner list the primary definition of *pîlegeš* as a wife in the type of marriage where the wife stays in her father's house. Known as 'nomadic marriage' or 'duolocal marriage', the rationale for this type of marriage rests on the fact that when a husband is a nomadic herder, he has no stable dwelling himself. While intriguing, this definition appears to be a dated concept. See KBL, 761; and *HALOT* 929. See also Julian Morgenstern, "*Beena* Marriage (Matriarchat) in Ancient Israel and its Historical Implications," *ZAW* 6 (1929): 91–110; idem, "Additional Notes on 'Beena Marriage (Matriarchat) in Ancient Israel,'" *ZAW* 8 (1931): 46–58; and Patai, *Sex and Family in the Bible and the Middle East*, 39–43.

have a negative undertone, suggesting a woman who is sexually involved with a man, perhaps even living with him, yet not married.[332] "Mistress," "doxy," and "other woman" in particular indicate a woman who has sex with a man married to another woman.[333] Our concept of "other woman" or "mistress" relies heavily on the modern Western practice of marriage, which does not reflect the practices seen in the Hebrew Bible. Sex between a married man and an unmarried woman is not seen as adultery; in fact, if a man rapes an unmarried woman, he simply marries her (Deut 22:28–29).[334] Only sex between a man and a married woman is considered adultery; in this case, both partners are put to death as punishment (Lev 20:10; Deut 22:22).[335] The concept of a "mistress" as we understand it today—a woman, often single, who has sex with a married man—does not exist at the time of the judges.[336]

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332 *Merriam Webster Online*, Accessed December 10, 2015; http://www.merriam-webster.com/dictionary/concubine.

333 Another image that quickly comes to mind when we read the word "concubine" is a harem, a group of many woman available to satisfy one man sexually. This use of *pîlegeš* is found in Esth 2:14. King Ahasuerus, after he disposes of Queen Vashti, collects virgins to live at court as his harem: they are kept together and called to the king to entertain him at night. The king's eunuch, Shaashgaz, is called "the keeper (*šōmēr*) of the *pîlagšîm*."

334 The story of Dinah's rape in Gen 34 reflects this practice, albeit unsuccessfully. After Shechem rapes Dinah, he asks to marry her, offering to give whatever bride-price her family requires. Dinah's brothers, however, are furious with Shechem's treatment of their sister, and so trick him in order to kill all the males in his city. On the other hand, their father Jacob favors the match and chastises his sons for their actions.

335 According to King and Stager, the rules concerning adultery focus exclusively on preventing an inheritance from being passed to an illegitimate heir, which again illustrates the importance of the ancestral land. Thus, adultery is only considered a crime when it involves a betrothed or married woman. See King and Stager, *Life in Biblical Israel*, 60.

336 See also Bal, *Death and Dissymmetry*, 80–86. Cf. Trible, *Texts of Terror*, 66.

Another aspect of this terminology issue stems from our uncertainty over the etymology of *pîlegeš*. It does not appear to be Semitic in origin; there are no analogous formations in other Semitic languages.[337] It does parallel, however, a common Indo-European formation. One suggestion is an influence by the Greek word *pallakē,* meaning 'young girl'.[338] Chaim Rabin, however, notes that a *dagesh* in the *lamed* of *pîlegeš*, which would double the letter, rarely appears, though a Hebrew spelling of *pillegeš* would make for a nice comparison to *pallakē*. On the other hand, in Greek the word means both 'concubine' and 'young girl'; other Indo-European cognates only have the meaning 'concubine'. Rabin suggests it is more likely for concubine to develop from young girl than vice versa, making it unlikely that the word entered the Indo-European languages from another language family.[339] He divides *pîlegeš* into two Indo-European elements: the prefix *pi-* 'at, on, toward' and the root *legh-* 'to lie down', a combination which "represents a widespread Indo-European way of expressing the concept."[340] Thus, Rabin argues for an Indo-European origin other than Greek, and proposes the Philistines, a group of people

337 Maximilian Ellenbogen, *Foreign Words in the Old Testament: Their Origin and Etymology* (London: Luzac, 1962), 134.

338 Heinrich Lewy, *Die semitischen Fremdwörter im Griecheschen* (Hildescheim: Georg Olms, 2004 [1895]), 66–67. Some Greek scholars, however, understand the dependence the other way. Rafał Rosół, for example, suggests that *pallakē* is *wahrscheinlich semitisches (viell. phönizisches) Lehnwort*, "probably Semitic (perhaps Phoenician) loanword." Rafał Rosół, *Frühe semitische Lehnwörter im Griechischen* (Frankfort: Peter Lang, 2013), 76.

339 Chaim Rabin, "The Origin of the Hebrew Word *Pīlegeš*," *JJS* 25 (1974): 354–55. See also BDB, 811.

340 Rabin, "The Origin of the Hebrew Word *Pīlegeš*," 358.

who have close contact with the ancient Israelites, but not with other Semitic peoples, even though we know almost nothing about their language.[341] In general, the etymology of *pîlegeš* seems uncertain. In his discussion of the Greek word, *pallakē*, which he translates as "Kebsweib, Konkubine," both meaning concubine, Hjalmar Frisk describes the term as "altes Wanderwort unklarer Herkunft," an old wandering-word of unclear origin.[342]

The Status of the *Pîlegeš* in the Household

Besides its eleven occurrences in *The [Anti-] Benjaminite Novella*, *pîlegeš* appears only 26 times in the Hebrew Bible and often is distinguished from a wife (*ʾiššâ*). For instance, David takes both after becoming king over Israel (2 Sam 5:13);[343] in 2 Chr 11:21 Rehoboam loves Maacah more than any of his other wives (*nāšîm*) or secondary wives (*pîlagšîm*). In the only other occurrence of *pîlegeš* in Judges, Gideon has many sons because "he had many wives (*nāšîm*)" (Judg 8:30), but Abimelech is differentiated as the son of Gideon's *pîlegeš* (8:31). 1 Kgs 11:3a describes a *pîlegeš* as one type of wife:

וַיְהִי־לוֹ נָשִׁים שָׂרוֹת שְׁבַע מֵאוֹת וּפִלַגְשִׁים שְׁלֹשׁ מֵאוֹת

Now he (Solomon) had wives: 700 princesses and 300 *pîlagšîm*.

341 Ibid., 359–60. Rabin argues that his proposal, nevertheless, "rests on geographical and historical probabilities."

342 Hjalmar Frisk, *Griechisches Etymologisches Wörterbuch* (vol. 2; Heidelberg: Carl Winter, 1970), 468–69.

343 2 Sam 19:6 lists David's wives (*nāšîm*) and *pîlagšîm* as two separate categories.

In Gen 23:1–2, after the death of Sarah, Abraham "again took a wife (*ʾiššâ*)," a woman named Keturah (Gen 25:1). In the Chronicler's account of the marriage between Abraham and Keturah, however, she is referred to as Abraham's *pîlegeš* (1 Chr 1:32).[344] Combined with the use of *pîlegeš* in 1 Kgs 11:3, it is plausible that the Genesis reference to Keturah as a wife reflects the use of *pîlegeš* as a subcategory of wives, a distinction the Chronicler makes explicit in his interpretation of the story.

Genesis explicates that Abraham leaves "all that he had" (*ʾet-kol-ʾăšer-lô*) as inheritance for Isaac, son of his wife (*ʾiššâ*) Sarah, while the sons of his *pîlagšîm* only receive gifts during Abraham's lifetime. They are then sent away from Isaac, presumably so that they could not challenge him for the ancestral land (Gen 25:5–6). This example illustrates the differences often found between the inheritance rights and status of a wife's offspring and those of a *pîlegeš*. Similarly, in Judges, Abimelech, son of Gideon and his Shechemite *pîlegeš*, succeeds his father as leader only through the dual events of gaining the support of his mother's family and eliminating the competition—his half-brothers, those born to his father's wives (Judg 9:1–5).[345] While this story focuses on the problems

344 Chronicles likely originates from the south in the 4th century BCE. It covers the pre-monarchic period in 1 Chr 1–9 through genealogies which parallel those found in the Pentateuch. For an overview of Chronicles in academic biblical studies, see Sara Japhet, "The Historical Reliability of Chronicles: The History of the Problem and its Place in Biblical Research," *JSOT* 33 (1985): 83–107.

345 We assume that all the "brothers" he kills are those from Gideon's many wives, as Abimelech is the only son described as resulting from Gideon's union with a *pîlegeš*.

of an unsanctioned monarchical government, it also further illustrates the secondary status of the children of *pîlagšîm* as compared to those of an actual wife (*ʾiššâ*).[346]

The inferior status of the offspring of *pîlagšîm* suggests that *pîlagšîm* themselves rank lower than wives (*nāšîm*) in the household (*bêt ʾāb*). It is possible that some *pîlagšîm* originally work as servants to a primary wife. The Hebrew text identifies Bilhah, for example, as both the maidservant of Rachel (*šipḥâ*, Gen 29:29; *ʾāmâ* 'servant', Gen 30:3) and Jacob's *pîlegeš* (Gen 35:22). Likewise, Gen 25:6, as mentioned above, suggests that Hagar is one of Abraham's *pîlagšîm*; she begins the story as Sarah's maidservant (*šipḥâ*, Gen 16:1; *ʾāmâ* 'servant', Gen 21:10).[347] David leaving ten *pîlagšîm* to care for his home

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346 The Chronicler also suggests a difference in status when recounting David's sons: after naming his sons according to place of birth (1 Chr 3:1–8), he continues, "All (these) were David's sons, except for the sons of the *pîlagšîm*; and Tamar was their sister" (1 Chr 3:9). Only the sons of David's wives, and Tamar, are important enough to name.

The exceptions to the secondary status of the children of *pîlagšîm* are the sons of Hagar (Gen 16 and 21), Bilhah, and Zilpah (Gen 30–31). While only Bilhah is explicitly called a *pîlegeš* (Gen 35:22), their positions within their respective households closely resemble that of Abimelech's mother (Judg 8:31; 9:18), but their children receive more significant inheritances: the sons of Bilhah (Dan, Naphtali) and Zilpah (Gad, Asher) are among the twelve sons of Jacob (Israel), the eponymous ancestors of the twelve tribes, while Hagar's son Ishmael is the ancestor of a great nation, the Ishmaelites (Gen 21:18).

347 In the initial description of each woman, she is referred to as *šipḥâ* 'handmaid'. At later points in each of their stories, however, they are each referred to as *ʾāmâ*, as is Abimelech's wife. These terms appear almost interchangeable, though perhaps *šipḥâ* refers more specifically to a maidservant with a mistress, while *ʾāmâ* indicates a female servant in general, regardless of the gender of her superior. Thus, when Hagar is explicitly referenced as Sarah's maidservant (Gen 16:1–3, 5, 6, 8), she is a *šipḥâ*; once no longer Sarah's, she is known only as *ʾāmâ* (Gen 21:10, 12, 13).

The so-called "Royal Steward" inscription from Siloam, near Jerusalem, reads, "[1]This is [the sepulchre of …]yahu who is over the house. There is no silver and no gold here [2]but [his bones] and the bones of his slave-wife with him. Cursed be the man [3]who will open this!" The word typically translated 'slave-wife' is *ʾāmâ*. The interpretation of the term as used here corresponds to one understanding the Akkadian cognate *amtu*, a woman sold into a slave-wife marriage by her father (see also Exod 21:7–11). For this

when he abandons Jerusalem, as I discuss below, suggests that even as secondary wives, these women retain an element of servitude to their husband, perhaps more so than the typical household duties of a primary wife (2 Sam 15:16).

Despite their lower status, I do not agree with Christopher J. H. Wright's assertion that *pîlagšîm* are simply "purchased slaves."[348] While some of *pîlagšîm* are described as slaves/servants (*ʾāmâ*), the term does not apply to all. The *pîlegeš* in Judg 19, for example, is only referred to as *pîlegeš*, *ʾiššâ* (woman, wife), and *naʿărâ* (young girl, servant). Based on biblical and comparative evidence, we can reasonably translate *ʾāmâ* as 'slave-wife', but we should not conflate the two terms.[349] Though under the authority of the *paterfamilias*, the *pîlagšîm*, like the primary wives (*nāšîm*), are functioning members of the household and society, with their primary duties focusing on raising children and maintaining the household. They fulfill the important obligation of reproducing bodies in order to repopulate the society, one of the four essential problems in Turner's somatic

translation and discussion of the royal steward inscription, see Nahman Avigad, "The Epitaph of a Royal Steward from Siloam Village," *IEJ* 3 (1953): 137–52.

348 Wright, "Family," 766. Raphael Patai argues that the Hebrew Bible portrays a concubine as a slave-wife, but he does not discuss *pîlegeš* specifically, and cites biblical verses which do not use the word. Patai suggests that a child born of a concubine has the same status and inheritance as child born of a wife. As I have shown, this is not the case in the Hebrew Bible. See Patai, *Sex and Family in the Bible and the Middle East,* 39–43.

349 According to the *CAD*, the cognate term *amtu* occasionally has the meaning of a 'slave-wife'. For instance, in the Code of Hammurapi, if a man's maid-servant (*amtu*) bears him children, he has the option of either counting them among his wife's children or not (CH §170–71; Old Babylonian, *ca*. 1750 BCE). Likewise, in *CT* 8, a purchased slave is described as the man's wife and the slave girl of his (primary) wife (*CT* 8 22b:6; *ca*. 2300–2000 BCE). The term more frequently means simply 'maid, slave', or perhaps 'royal slave'. See *CAD A*, 2:80–85; and *CDA*, 15–16.

society.[350] In addition, by educating children in cultural and religious customs, both women engage in the crucial process of socialization which helps to lessen any threats to the world order, especially those arising from the stupidity or self-interest of individuals.[351]

Though *pîlagšîm* have a lower status than wives (*nāšîm*), they have some significance to their husbands. For example, while rebelling against his father David, Absalom needs to assert his authority to the people once he arrives in Jerusalem, the capital of his father's kingdom. He achieves this by having sex with ten of his father's *pîlagšîm* in full view of the people (2 Sam 16:21–22). This is not to say that the *pîlagšîm* are simply the property of David which Absalom steals. Just like any primary wife, after leaving her father's home a *pîlegeš* lives under the authority of her husband. When another man takes her, he is asserting his authority over the husband of the *pîlegeš*, not just the *pîlegeš* herself. In this case, since David is also king, by engaging in sexual intercourse with his *pîlagšîm*, Absalom affirms his authority over all Israel, David's kingdom, and simultaneously breaks David's authority. Making the sexual acts public reinforces this.[352]

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350 Turner, *The Body and Society*, 20. See my discussion in ch. 2

351 Phyllis A. Bird, "Women (Old Testament)," *ABD* 6:951–57; and Berger, *The Sacred Canopy*, 29. See my discussion of Berger's concept of world-building in ch. 2. Proverbs supports the claim that mothers are responsible for basic religious and moral education for her children. See Prov 1:8; 31:1.

352 Presumably, if David left primary wives as well as the *pîlagšîm*, they would have met with the same fate, for the same, if perhaps more amplified, result. As I discuss in ch. 2, Turner notes that the reason why women are such a threat to the solidarity of a kinship group is because one can never be absolutely sure of the paternity of their children. This uncertainty explains why female sexuality tends to be highly regulated in pre-modern societies, such as ancient Israel. See Turner, *The Body and Society*, 103.

The *Pîlegeš*, the Virgin, and the *Naʿar*

The story of the Levite's *pîlegeš* in Judg 19 raises additional questions about the relative status of the secondary wife within the household compared to the virgin daughter (*bat habətûlâ*) and the male servant (*naʿar*). All three have been socialized in their particular roles, disciplined to the point of becoming useful, docile bodies for the benefit of their household (*bêt ʾāb*).[353] When the men of Gibeah demand the Levite as a sexual partner, the host, the old man from Ephraim, offers both his virgin daughter (*bat habətûlâ*) and the Levite's *pîlegeš* instead (Judg 19:24). This dual offering, of course, reflects the similar story in Gen 19, where Lot offers two daughters, "daughters who have not known a man" (*bānôt ʾăšer lōʾ-yādəʿû ʾîš*), in place of his two male guests (Gen 19:8). The Ephraimite's virgin daughter, just like the virgin daughters of Lot, are saved from this fate, but no such clemency is awarded the Levite's concubine.[354]

Does the difference between their fates suggest that *pîlagšîm* have a lower status than virginal daughters in the household? While we have little evidence as to the details of

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353 For his discussion on docile bodies, see Foucault, *Discipline and Punish*, 135–69. See also my discussion in ch. 2. Remember that the *bêt ʾāb* 'father's house', not the individual, is the fundamental unit of society, and so individuals fulfill certain roles which benefit society as a whole. For their discussion of the household, see Lock and Scheper-Hughes, "The Mindful Body," 14–15.

354 The Ephraimite's daughter simply disappears from the story; no reasoning for her salvation is given. Some scholars argue that she is a secondary insertion to increase this story's similarities with the Gen 19 account. Even if that is the case, the virgin daughters in both accounts are spared. Thalia Gur-Klein suggests that the ideology behind Judg 19 can explain the virgin daughter's disappearance. Like the virgin daughters of Lot, she represents the ideal of female chastity, which the *pîlegeš* represents sexual promiscuity (Judg 19:2). The Levite is "a righteous man of God embodying the locus of morality," while the *pîlegeš* is "a woman who chooses multiple sexual partners over him." Gur-Klein, "Sexual Hospitality in the Hebrew Bible," 163. See my discussion on the connection between Gen 19 and Judg 19 in ch. 1.

the practice of giving a bride-price (*mōhar*) to the bride's father, there is one indication that the amount offered differs based on the woman's status.[355] In Exod 22:15 (English 22:16), a man must pay the bride-price for a woman he rapes and then marry her. The passage continues, however, by stating that if her father refuses, the man must pay him the amount equal to "the bride-price of virgins (*bətûlâ*)" (Exod 22:16; English 22:17).[356] These verses suggest that there is a lesser amount paid for a raped woman, presumably because of her non-virgin status, as compared to a virgin daughter, which reflects their perceived social value.[357] Thus, the daughter has economic value to her father, and it is in the father's best interest to ensure his daughter's virginal status prior to marriage to secure the top bride-price. A *pîlegeš*, on the other hand, has a much reduced economic value, and less cultural cachet. Already married, she does not contribute to her husband's household in any direct economic means like the virgin daughter. The rape of a *pîlegeš* has little impact on her economic value, with the exception of the potential of bearing her husband's children.

The *paterfamilias*, therefore, has power over the sexuality of his *pîlagšîm* and virgin daughters, though for different reasons. There is an element of control over both women, but for the daughters, the second reason is very much economic—her worth as a virgin bride.[358] *Pîlagšîm*, on the other hand, besides taking care of the household, provide their

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355 'Bride-price' *mōhar* appears only three times in the Hebrew Bible (Gen 34:12, Exod 22:16, and 1 Sam 18:25). See King and Stager, *Life in Biblical Israel*, 54.

356 This is part of the Covenant Code, typically attributed to the E source, written in the north before its collapse in 722 BCE. See Friedman, *Who Wrote the Bible?*, 87, 251.

357 Wright, "Family," 766.

358 Remember that repopulating society is one of the four problems central to a somatic society. See Turner, *The Body and Society*, 20.

husbands with sons, though these sons often inherit less than sons from the primary wife.[359] In each case, however, the male head of household regulates the sexuality of the women under his control in order to lessen the threat these female bodies pose to his kinship group.[360] Determining who does and does not have sexual access to the female bodies limits with whom the women reproduce and form further kinship bonds.

As I argue in ch. 2, the *paterfamilias* has control not only over the women and children in his household (*bêt ʾāb*), but also over the subordinate men, such as the Levite's young male servant (*naʿar*) in Judg 19–21.[361] The servant only appears in the first half of the story: he suggests to the Levite that they seek shelter in Jebus on their return journey to Ephraim. His master disagrees, telling him that they will rest at the Israelite towns of Gibeah or Ramah (19:11–13). The servant disappears from the narrative shortly after (19:19). Neither the Ephraimite nor the Levite include him among the possible alternative choices for the men of Gibeah to ensure the Levite's safety. When the Levite arises the next morning and continues home with his *pîlegeš*, the servant is not mentioned. Likewise, when the Levite recounts the story to the other Israelites in ch. 20, he makes no mention of the servant at all. The *naʿar* simply vanishes from the story.

One might argue that the reason no one offers the *naʿar* as a substitute for the Levite is because the disgraceful act (*nəbālâ*) perpetrated by the men of Gibeah is one of

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359 In Judg 19–21, we have no indication whether the Levite has a primary wife. Since the man is a Levite, and therefore does not have ancestral land to pass to his offspring like those from the other tribes, the importance of land inheritance is diminished.

360 Turner, *The Body and Society*, 103.

361 The *paterfamilias* has obligations to all individuals in his household (*bêt ʾāb*), including that of providing protection. In this responsibility, the Levite fails his *pîlegeš*.

homosexuality. In the context of the im/proper regulation of bodies, however, the issue is actually one of correct hospitality practices, as I will discuss below. Once we reject the reading of homosexuality, then, the question remains, is the *naʿar*, as a servant, afforded more protection than the *pîlegeš* or, for that matter, the virgin daughter of the Ephraimite host? Are women's bodies more docile, and therefore usable, than men's bodies?[362] John MacDonald argues that *naʿar* signifies a young man of high birth who has a higher status than a typical servant *ʿebed*.[363] Among other duties, a *naʿar* has military (e.g., Josh 6:23; Judg 9:54) and perhaps cultic functions (Exod 24:5; 33:11; 2 Kgs 9:1–5). The *naʿar* in Judg 17–18 serves as a Levitical priest to Micah and eventually "became to him like one of his sons" (Judg 17:11). Thus, the *naʿar* is not just a servant, but rather an important part of Micah's household, even to the point of becoming family.[364] Like MacDonald, Lawrence Stager argues that this term should be understood as a status, with age only a secondary

362 Turner suggests that subordinate males in a patriarchal society have a "quasi-feminine" personality because they, like the women and children, are under the control of the *paterfamilias*. Turner, *The Body and Society*, 102.

363 The same is true for the female version, *naʿărâ*, a term used to describe the Levite's *pîlegeš*. Nahman Avigad notes that *ʿebed* is used for high-ranking officials in the royal court, while *naʿar* is not. He suggests that *naʿar* denotes individuals in service to tribal chiefs before the advent of the monarchy. Yet he argues that the presence of seals from the monarchic period indicates a *naʿar* could serve the king like an *ʿebed*, though these seals may also reflect a private economic enterprise. See Nahman Avigad, "New Light on the Naʿar Seals," in *Magnalia Dei, the Mighty Acts of God: Essays on the Bible and Archaeology in Memory of G. Ernest Wright* (ed. Frank Moore Cross; Garden City, NY: Doubleday, 1976), 295.

364 See John MacDonald, "The Status and Role of the *Naʿar* in Israelite Society," *JNES* 35 (1976): 147–72. For his discussion of the parallel position of the *ṣuḫārū* at Mari, see John MacDonald, "The Role and Status of the *Ṣuḫārū* in the Mari Correspondence," *JAOS* 96 (1976): 57–68.

consideration.[365] Building from MacDonald's study of *naʿar*, in conjunction with Hans-Peter Stähli's assertion that the *naʿar* is an unmarried man who has yet to become a *paterfamilias* of his own *bêt ʾāb*,[366] Stager suggests that these individuals are best understood as the surplus of men in the land tenure system. As the land gets divided through the generations, an increasing number of men must find alternative means of living.[367]

Thus, the *naʿar* occupies a unique place within the *bêt ʾāb*. He serves the *paterfamilias* and falls under the control and protection of the *paterfamilias*, but he remains partly distinct. The sexual regulation of the household (*bêt ʾāb*) rests on the need for proper inheritance, especially of the ancestral land (*naḥălâ*), with the result that the *paterfamilias* has exclusive sexual rights to the women under his control.[368] The Levite has the ability to offer his *pîlegeš* as an alternative to the men in Gibeah, but his control over the sexual rights to his *naʿar* is weaker.[369] Given this limitation to the power of the *paterfamilias* over the bodies of the *naʿar*, he does not come up as an alternative to the Levite because he

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365 Stager, "The Archaeology of the Family in Ancient Israel," 26. Stager notes that Samson is called a *naʿar* from the womb (Judg 13:5–12) and Samuel is a *naʿar* while still nursing (1 Sam 1:22).

366 Hans-Peter Stähli, *Knabe-Jüngling-Knecht: Untersuchungen zum Begriff נער im Alten Testament* (Bern: Peter Lang, 1978).

367 Stager compares this to the similar system for younger sons in medieval Europe. Stager, "The Archaeology of the Family in Ancient Israel," 25.

368 Turner, *The Body and Society*, 125. See my discussion of ancestral land in ch. 3.

369 Turner argues that, in patriarchal societies, patriarchal control includes the regulation of the sexuality of younger men, but only in regard to the interests of household solidarity and economic stability. A father can specify a wife for his son, as Abraham does for Isaac (Gen 24:2–4), but, as with the Benjaminite remnant in Judg 21, the *paterfamilias* in ancient Israel can support the preference for endogamous marriage for their subordinate males, not the specific individuals with whom each subordinate male chooses to engage sexually. See Turner, *The Body and Society*, 104; and my discussion in ch. 5.

simply cannot.[370] Thus, the *naʿar* does not necessarily have a higher status than the *pîlegeš* within the household (*bêt ʾāb*); the Levite simply has control over the sexual access of his *pîlegeš*, but not of his *naʿar*.

DEPICTIONS OF HOSPITALITY IN JUDG 19

Judges 19 offers two distinct examples of the practice of hospitality in ancient Israel. The first depiction, the Levite's father-in-law (*ḥōtēn*) hosting his son-in-law (*ḥātān*) for five days, is more or less an example of properly practiced hospitality. On the other hand, the second depiction, the Ephraimite taking in the Levite and his traveling party for the night in Gibeah, is fundamentally improper from the outset. In addition, the lack of hospitality offered to the Levite by the residents of Gibeah is a breach of contract between guest (*gēr*) and host in the Hebrew Bible.

Hospitality is, ultimately, a practice focused on the body, and so is essential to our discussion of the im/proper regulation of bodies in Judg 19–21. A host offers several things to a guest: food and drink, for all members of the guest's party, including animals; a place to spend the night; and most importantly, protection. As I mention briefly in ch. 3, aliens (*gērîm*) in ancient Israel are a vulnerable group of people, as they lived as strangers in a foreign land, without the security provided by their own people. Hence, the need to protect and care for *gērîm* under the code of hospitality. The term *gēr*, however, can refer not only to non-Israelites living within Israel, but also to an Israelite living outside his tribe but

370 In addition, as I discuss in the following section, the *naʿar* cannot serve as a substitute because it is only through control of a female body, or a body imagined as female, that the disorder created by the presence of the foreign Levite in Gibeah can be re-ordered. See Hatty and Hatty, *The Disordered Body*, 31–32.

within Israel. While this individual remains within his people Israel (*bənê-Yiśrāʾēl*), he does not have the closer protection and support of his clan (*mišpāḥâ*) or tribe (*šēbeṭ*/ *maṭṭe(h)*). Much like the foreign *gēr*, then, an Israelite sojourning in a different area of Israel requires the care of a host offered through the rules of hospitality.

The danger of the *gēr* to the community hinges on his location on the boundaries of society. In her discussion of boundaries in *Purity and Danger*, Mary Douglas notes that all boundaries are dangerous, capable of creating social pollution, and so must be carefully regulated.[371] Two types of social pollution related to boundaries which she enumerates are external danger and danger along the margins.[372] The *gēr* represents both of these threats, and so must be neutralized. The *gēr* is initially a threat to the host community, a potential source of hostility because he is not a member of the host people, and likewise, the community is a threat to him. The *gēr* is also counted on the margins of society, as we see by the rules regarding his care. The offer and acceptance of hospitality neutralize these threats between *gēr* and host.[373]

In order to counteract the external and marginal threats presented by *gēr* and host community, ancient Israelite society follows certain hospitality practices. As Foucault

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371 She discusses this in relation to the inputs and outputs of bodies. See Douglas, *Purity and Danger*, 122.

372 Ibid., 123–24.

373 Matthews suggests that the hospitality only neutralizes the threat the stranger poses to the community, not the reverse, since the stranger remains among the vulnerable segments of society (see Deut 24:17). But as the initialization of hospitality involves both actors, so does the benefit. The dual actions of proposal and acceptance ensure that both the host and the guest have been neutralized as threats to the other. See Matthews, "Hospitality and Hostility in Judges 4," 14.

discusses in his concept of docile bodies, at each level of society every individual body has its own particular set of responsibilities and expectations according to the role it currently occupies.[374] In this case, guest and host each have a set of obligations, as Matthews discusses.[375] Whether city, town, village, or encampment, he argues that there is a "zone of obligation" in which the male head of household or male citizen must offer hospitality to a stranger, an action which transforms the guest from a potential antagonist to an ally.[376] Other obligatory actions on behalf of both the guest and host will be discussed in more detail in the following sections, but it is important to remember that individuals perform their own identities which can both conform and not conform to these cultural norms. Thus, we have instances, like the second example of hospitality in Gibeah, where individuals choose not to follow social rules. This deviant behavior, as a form of social illness, creates increasingly more social illness throughout Judg 19–20, leading to normalizing judgment, a set of penalties to correct this incorrect behavior and reestablish the normal way of functioning in society, in the conclusion of *The [Anti-] Benjaminite Novella*, which I discuss in ch. 5.[377]

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374 See Foucault, *Discipline and Punish*, 135–69, for his discussion of docile bodies. In his discussion of "world-building," Berger argues that since societies themselves are constructed, they are naturally unstable and require ways to mitigate this instability, such as through socialization. See Berger, *The Sacred Canopy*, 29; and my discussion in ch. 2.

375 Matthews, "Hospitality and Hostility in Judges 4;" and idem, "Hospitality and Hostility in Genesis 19 and Judges 19." See my discussion in ch. 2.

376 Matthews, "Hospitality and Hostility in Judges 4," 13–14.

377 For discussions on correcting behavior, see Turner, *The Body and Society*, 154; and Foucault, *Discipline and Punish*, 177–80.

Proper Hospitality: A Visit to the In-Laws

After the *pîlegeš* leaves home to return to her father's house in Bethlehem of Judah (Judg 19:2), the Levite eventually follows her there in order to bring her back to their home in Ephraim.[378] Once the Levite arrives in Bethlehem, his father-in-law immediately goes out to greet the Levite, welcoming him into his home (Judg 19:3). The father-in-law then proceeds to feast the Levite, as well as provide him with protection, for three days (Judg 19:4). On the fourth day, the Levite readies his departure, but his father-in-law convinces him to stay and enjoy his hospitality for one more night (Judg 19:5–7). On the fifth day, the Levite again begins his preparations to leave, and his father-in-law once more encourages him to stay and repose himself. The Levite concedes, but unlike the previous day, decides to leave in the evening of the fifth day (Judg 19:8–10).

The Levite's father-in-law, as the head of his own household (*bêt ʾāb*), is well within his rights to offer his son-in-law hospitality.[379] In fact, he appears more excited at welcoming his son-in-law than his own daughter. Though he allows his daughter to remain with him for four months before the Levite comes to reclaim her, she does not partake in the hospitality provided for her husband; the text depicts the five days of feasting as an extended period of male bonding. The precarious situation of the *pîlegeš* can account for her strange treatment at the hands of her father. Up until her marriage, she is under the

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378 The Levite is 'dwelling' (*gwr*) in the hill country of Ephraim (Judg 19:1). The verbal root *gwr* does not always indicate dwelling outside of the land, though it usually has that connotation. See Jer 43:5 and Judg 5:17 for examples of *gwr* as simply 'dwelling', but not outside one's own land.

379 Matthews, "Hospitality and Hostility in Judges 4," 14; and idem, "Hospitality and Hostility in Genesis 19 and Judges 19," 7.

control of her father, but upon her marriage, this authority transfers to her husband.[380] Yet, though she now lives with her Levite in the tribal land of Ephraim, her heritage is the Judahite clan. When she visits as a married woman, then, she is part family, part *gēr*.[381]

The father-in-law, as is fitting for a host, provides for his guest completely, so that he does not lack any comfort. When the father-in-law suggests on the fourth day that his son-in-law stay for another night, he does so in order that the Levite might enjoy himself, possibly indicating that the Levite should imbibe on alcohol (*wəyīṭab libbekā*; literally, "so that your heart be merry"; Judg 19:6). Taken in conjunction with the fact that the stay is extended by two days, this phrase implies an image of much feasting which both parties enjoyed.[382] This act of feasting in the context of hospitality deserves some consideration. As a bodily exercise, feasting does much more than simply provide nutrition to a body so that it can function properly. Though nourishment is an important element in a host's

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380 Phyllis Bird, "Images of Women in the Old Testament," in *Religion and Sexism: Images of Women in the Jewish and Christian Traditions* (ed. Rosemary Radford Ruether; New York: Simon & Schuster, 1974), 41–88.

381 As I mention above, Turner notes that women are a threat to the solidarity of kinship groups because one can never be completely sure of their children's legitimacy. In ch. 3 I discuss Meyers's argument that women are in the perfect position to be mediators because of their movement from their father's household to the husband's. Taking these two elements together, women can also be threats to the solidarity of kinship groups because of their mobility between separate households. As they are always under the control of the *paterfamilias*, which potentially ignores their own preferences, one can never be certain about their loyalties. See Turner, *The Body and Society*, 103; and Meyers, "Having Their Space and Eating There Too," 32.

382 As Matthews notes, the extension of a visit must be agreed upon by both parties. When the Levite refuses to stay a fifth night, his father-in-law does not object, even though he wishes to further prolong the Levite's stay. See Matthews, "Hospitality and Hostility in Judges 4," 14; and idem, "Hospitality and Hostility in Genesis 19 and Judges 19," 7.

proper treatment of his guests, this goal can be met in a much simpler manner. A feast not only nourishes the body, but the heart, as the father-in-law's comment about enjoyment in Jug 19:6 indicates, providing for both the physical and emotional well-being of the body.

Besides the comfort given through the feasting, the host offers the Levite protection, indicated here by what is missing in this visit: unlike his stay at Gibeah, no harm comes to the Levite or his party.[383] Though visiting his father-in-law, a man with whom he already has a relationship, the Levite is still a sojourner (*gēr*) in the tribal land of Judah. As such, he and the host community are threats to one another, threats which can only be defused through the proper practice of hospitality. By instigating the ritual of hospitality through invitation, the host indicates to the guest that he will provide protection for him, essentially making him a temporary member of the host's household/clan/tribe/people. This short-term honorary membership signals to the rest of the host's people that the guest will not harm them. By accepting the host's invitation, the *gēr* cements his temporary place within the host's household, relying on the host's protection like any other member of his *bêt ʾāb* and agreeing not to threaten the host's people. As an honorary member of the host's household, the guest's body, as well as those of the rest of his party, are now under the control of the host. This control, however, is a muted version of the control of the *paterfamilias* over members of his normal household. The main focus of the host is the welfare of the guest: nutrition provided by food and drink, the ability for the guest to practice proper hygiene, and above all, protection from harm.

383 Matthews, "Hospitality and Hostility in Judges 4," 14–15.

As we see in the second story of hospitality in Judg 19, the host does not have control over sexual access to the bodies of his guests.

Improper Hospitality: A Night in Gibeah

When the Levite and his party leave for their home in Ephraim, they must stop for the night and choose to do so in Gibeah, a town in the tribal territory of Benjamin. From the very outset, hospitality customs are not properly observed by all parties involved: the residents of Gibeah, the Ephraimite man, and the Levite. First, the residents of Gibeah fail in their duty to provide shelter to the Levite, a stranger (*gēr*) visiting their town (Judg 19:15). Like the father-in-law residing in Bethlehem of Judah, a resident of Gibeah should have welcomed the Levite and his party into his house before they ever made it as far as the town-square. One aspect of a society based on control over bodies is the need to regulate the body in public spaces.[384] As a guest entering the town-square, the Levite is the ultimate body in need of regulation—he is in the most public of places in the town and is a *gēr*, a potential threat. According to the hospitality rules Matthews outlines, only a male head of household or a male citizen of the town is able to offer hospitality properly to a *gēr*.[385] A citizen can offer hospitality because he can neutralize the threat of danger presented by a stranger to the community and vice versa. In essence, by not offering hospitality, the residents of Gibeah and the Levite remain threats to one another, as the remainder of the story indicates. Thus, already in the first moments of the visit, we can tell that it will end in disaster.

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384 Turner, *The Body and Society*, 20. See my discussion in ch. 2.

385 Matthews, "Hospitality and Hostility in Judges 4," 14–15.

The Ephraimite man who eventually attempts to host the Levite and his travel party should never have been in the position to offer the hospitality because of his own status as an alien (*gēr*) in Gibeah (Judg 19:20–21). The text first explains the location of Gibeah within the tribe of Benjamin in Judg 19:14, then reiterates the status of the residents of Gibeah as Benjaminites when introducing the Ephraimite man (Judg 19:16).[386] The hospitality provided by the Ephraimite residing in Gibeah cannot legitimately neutralize the threat the Levite presents to the community, nor the threat the community presents to the Levite and his party. Yet though his hospitality fails to meet this critical element, the Ephraimite man does at least to provide sustenance for his guests, as any host should (Judg 19:22).

Finally, the Levite does not fulfill the role of guest properly. To begin with, due to the inappropriateness of the Ephraimite's offer of shelter, the Levite should not have accepted, though he has no viable alternative in this story due to the lack of hospitality shown by the citizens of Gibeah. Additionally, his comments in Judg 19:19 suggest that he has no need of a host for the night; the party has enough provisions and can fend for themselves. These comments of self-sufficiency create tension between the two actors. A host provides for his guests' needs; to question that dictate is to insult the host.[387] As I discuss in ch. 2, Berger notes that a disruption in the "conversation" between two parties

386 Is it perhaps significant that the Levite himself dwells in the land of Ephraim? Though he himself is not Ephraimite, the fact that his home is in the hill country of Ephraim suggests that he already has status as a proper *gēr* among the Ephraimites.

387 Matthews, "Hospitality and Hostility in Genesis 19 and Judges 19," 8.

can cause their (constructed) world to lose its believability.[388] Due to the actions of the Ephraimite and the Levite, their failure to properly fulfill the social roles of host and guest, their reality becomes troubled, as the rest of the episode illustrates.[389]

While the Ephraimite feeds his guests, the men of Gibeah come to his house and demand the Levite come out so that they may know him (*yd*ʿ), that is, have sex with him (Judg 19:22).[390] The Ephraimite refuses, asking them not to do this disgraceful act (*nəbālâ*), offering them his virgin daughter and the Levite's *pîlegeš* as substitutes (Judg 19:23–24). When the Levite later sends out the twelve pieces of the body of the *pîlegeš* in order to summon the Israelites, they note that nothing like this has been done or seen in Israel since the day they came out of Egypt (Judg 19:30). The combination of this comment along with the Ephraimite's condemnation of the act as disgraceful reflects the cultural disdain the Israelites hold for it. The socialization of the roles of guest and host demand that the bodies of the guests be protected by the host, not violated. The men of Gibeah are performing their identities in complete contrast to their appropriate position as host. They are no longer docile bodies, useful for society; they have ignored their cultural training to have internal restraint against unhealthy wants such as violating the bodies of guests.[391]

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388 Berger, *The Sacred Canopy*, 17.

389 We see a similar result stemming from inappropriate host/guest behavior in the parallel story in Gen 19.

390 Gur-Klein suggests that the men of Gibeah are acting like they are the outsiders (*gērîm*), demanding sexual hospitality from the Ephraimite host. See Gur-Klein, "Sexual Hospitality in the Hebrew Bible," 161.

391 See Foucault, *Discipline and Punish*, 25; and Turner, *The Body and Society*, 20.

Note that while the Ephraimite makes the initial offer of the *pîlegeš* as substitute, the Levite actually throws her out to the men (Judg 19:25). As host, the Ephraimite has no right to offer the *pîlegeš* to the men. She should be protected by her host as a member of the Levite's group. Of course, as I mention above, the Ephraimite is not a suitable host and does not nullify the threats arising from the Levite's presence in Gibeah, but in the Ephraimite's view he *is* acting as host and should not violate his promise of security. Regardless, sexual access to the body of the *pîlegeš* can only be properly controlled by her husband, the Levite. The Ephraimite, even as host, has no right over her sexuality.

Though the Levite has the right to offer his *pîlegeš* to the men, he fails in his duty as *paterfamilias* to see to her protection, one of the many obligations he has toward his subordinates. Being a *gēr*, a stranger in Gibeah, the Levite needs the safety of proper hospitality to safeguard his party. From the outset, then, the Levite places his *pîlegeš* in danger. Later, he undoubtedly uses his *pîlegeš* to save his own skin, and while his allowing the men of Gibeah to have access to her body sexually is not itself improper, his failure to protect her body from death is.[392] Perhaps he does not expect his *pîlegeš* to die as a result of the men's abuse, but this does not exonerate him from improperly regulating her body by neglecting to protect it. Thus, the deviant behavior, which first begins with the absence of a proper host in Gibeah, continues and multiplies.

392 While the Hebrew text is unclear as to the exact point when the *pîlegeš* dies, either in the morning at the door to the Ephraimite's house as a result of her abuse or when the Levite hacks her into twelve pieces upon returning to his home, the failure of the Levite in protecting her body remains the same.

The actions of the men of Gibeah throughout this episode deserve some consideration. As I mention above, they first fail to conform to their societal roles as host by abandoning the visiting party to the town square and then compound this failure by demanding to have sex with the Levite. This second demand, however, is likely a result of the first. Turner notes that the female body is the main challenge to the continuity of male power, which is why there is typically strong control over female sexuality in patriarchal societies.[393] As a disordered body, the female body must be controlled by the men so as to reestablish order.[394] The Levite, as a guest whose threat has yet to be neutralized, also represents disorder and a challenge to the (male) authority of the citizens of Gibeah. Their request, then, should not be understood as a desire for homosexual intercourse, but rather a wish to reestablish their power in the community and reorder their world.[395] Though actions of the Gibeah men toward the *pîlegeš* can be disturbing to read, in the context of the story, however, that action itself is not improper. The Levite, the man who has control over the sexual access to the body of his *pîlegeš*, gives permission for them to use her sexually by throwing her out to them. That being said, the fact that they abuse her to the

393 Turner, *The Body and Society*, 38.

394 Hatty and Hatty, *The Disordered Body*, 31–32.

395 Niditch mentions the negative effect homosexual intercourse has on the Israelites' cosmology. The Levitical laws place elements (food, fabric, sexual activity) into specific categories and strive to keep those categories distinct. Homosexuality is a challenge both to purity, like a woman's menstruation, and to the general social order. Niditch actually calls the men of Gibeah's threat of homosexual rape "an active, aggressive form of inhospitality." Niditch, "'Sodomite' Theme in Judges 19–20," 368–68. Following her argument, then, I do not deny the rape demanded by the citizens of Gibeah, but want to emphasize its relation to hospitality, and as Niditch helpfully suggests, the Israelite world-view.

point of death goes beyond the limits implicit in the contract made between the Levite and the men. They had the right to use her body sexually; they had no right to determine her life or death.[396]

In this example of the improper practice of hospitality, all of the male actors choose to perform their identities in contrast to the social norm.[397] They all ignore the obligations expected from their roles as guest and host. By doing so, their deviant treatment of bodies begins a societal illness that continually increases as the story progresses. Thus their world begins to unravel, becoming more and more unstable, until it descends into a chaos which the society as a whole must struggle to overcome in the remaining chapters of Judges. Note, however, that the text itself does not offer any sort of legitimation for the story, an

396 Foucault discusses the right of the sovereign, before the modern industrial age, to decide between life and death for an individual. The sovereign exercises this right to life not by encouraging life, but simply by not killing, by permitting a subject to continue to live. During the time period of the judges, there are no kings, so this decision rests among the leaders at every level of society. There is some evidence that this is actually the case in ancient Israel. In Gen 38:24, Judah condemns his daughter-in-law to death for acting as a harlot and becoming pregnant. Deuteronomy 21:18–21 allows for the elders of a city to condemn a man to death if he does not obey his parents. Jephthah's vow results in the death of his daughter (Judg 11), though the propriety of his vow is suspect. Given this limited evidence, we cannot determine definitely whether the *paterfamilias* in ancient Israel has the right to determine the death of one of his subordinates, but certainly the men of Gibeah have no such power over the *pîlegeš*. See Michel Foucault, *The History of Sexuality* (trans. Robert Hurley; New York: Pantheon, 1978), 135–38. For the original French, see Michel Foucault, *Histoire de la sexualité: La volonté de savoir* (Paris: Éditions Gallimard, 1976).

397 The female actors—the *pîlegeš* and the Ephraimite's virgin daughter—do not instigate any action in this episode, with the exception of the *pîlegeš* crawling back to the door the morning after (Judg 19:26), but in following the commands of their *paterfamilias*, they fulfill the societally accepted roles of *pîlegeš* and daughter.

explanation that could mitigate the ongoing social destabilization.[398] The editors of *The [Anti-] Benjaminite Novella* simply let the story unfold as it will.

THE FRAGMENTED BODY

The morning after the men of Gibeah abuse the *pîlegeš*, the woman returns to the Ephraimite's house and collapses (Judg 19:26). When he is ready to leave, the Levite calls for her to get up, but she does not answer. Undeterred, he picks her up and places her on his donkey, then departs for their home in the hill country of Ephraim (Judg 19:27–28). Upon arriving home, the man dismembers his *pîlegeš*, dividing her into twelve pieces, which he sends throughout Israel.[399] Everyone who encounters a piece of her body cannot help but reflect on how nothing like this has ever happened in Israel since the time they escaped from Egypt (Judg 19:29–30). The twelve pieces serve as a summons to the tribes of Israel; they meet at Mizpah in order to deliberate on the act as an entire assembly, though Benjamin appears absent from this gathering (Judg 20:1–2).

As I mention in ch. 1 and the notes to my translation in Appendix A, the text does not specify at what point exactly the *pîlegeš* dies. She may have died upon collapsing at the threshold to the Ephraimite's house in the morning, but perhaps survives in a weakened

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398 For his discussion of legitimization, see Berger, *The Sacred Canopy*, 29. I discuss this concept in ch. 2.

399 Koala Jones-Warsaw argues that, "[s]ince the Levite tribe had no inheritance in the land…he needed to lure his fellow tribesmen into participating in his search for justice." Jones-Warsaw, "Toward a Womanist Hermeneutic," 178. While I disagree with her assertion that the Levite only sends off the body parts of his *pîlegeš* because otherwise the Israelites would not support his cause, her statement on the landless state of the Levite reinforces my argument that all twelve tribes *must* be involved in the resolution to the events at Gibeah.

state until her husband dismembers her. I offer no solution to this question here, as neither scenario affects the analysis I am undertaking. This fragmentation of the body of the *pîlegeš*, however, must be considered not only in terms of the individual body itself, but also in term of this body as a metaphor for society.

The Individual Body: The Fragmentation of the Self

Regardless of when the *pîlegeš* actually dies, the image the text presents with her collapsing at the door of the Ephraimite's house in the morning suggests that the woman has been severely damaged by the events of the previous night (Judg 19:26–27). Her body, already a point of concern due to its very female-ness, becomes a further problem to the Levite because it is no longer healthy, productive, or fertile.[400] The broken body of the *pîlegeš* represents the ultimate in disorder to the Levite: both female and unproductive. He needs to re-exert his control over his *pîlegeš* to bring a sense of order back to his world. Typically men reestablish order by controlling female bodies through their sexuality, or who has access to the female body.[401] Since he simply gives the men of Gibeah unfettered sexual access to the *pîlegeš*, there is little point now to the Levite governing her sexuality. Since the woman has been reduced to a mere body, he must exert his power over the body as an object, literally cutting it apart. Hence, the fragmentation of her body into twelve pieces serves to restore balance to the Levite's world.

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400 Turner, *The Body and Society*, 40–41. See also Hatty and Hatty, *The Disordered Body*, 31–32; and Turner, *The Body and Society*, 210.

401 Hatty and Hatty, *The Disordered Body*, 31–32.

Of course, the reduction of the *pîlegeš* to nothing more than a body, an object, fragments the woman before the Levite makes a single cut. Emily Martin, while discussing modern conceptions of reproduction, argues that fragmentation occurs whenever we do not look at the unity of the person. She claims, "When science treats the person as a machine and assumes the body can be fixed by mechanical manipulations, it ignores, and it encourages us to ignore, other aspects of our selves, such as our emotions or our relations with other people."[402] Women experience a fragmentation of self more readily than men since, in order to be sexually female after puberty, woman are often reduced to a physical body.[403] Though Martin's study differs drastically from mine, the relevant point remains: the *pîlegeš* as an individual, a unity, consists of more than simply a physical body-object.

Throughout Judg 19, the *pîlegeš* seldom exhibits the kind of agential power that the Levite does, but she also rarely, if ever, can be merely classified as only a body-object. She instigates the entire story by fleeing to her father's house. When her husband comes for her, she apparently dutifully falls back into her social role of *pîlegeš*. As far as the text indicates, she offers no objections to the Levite's allowing the men of Gibeah to abuse her, but we should hardly expect her to do so in her position. Yet even here, she is not a mere body-object; rather, she is an instrument. Mary Keller reminds us that "agency" refers to both an action and a place where exchanges occur.[404] While she specifically studies the possessed person as an instrument for the possessing spirit, the concept of instrumental

402 Martin, *The Woman in the Body*, 19–20.
403 Ibid., 21.
404 Keller, *The Hammer and the Flute*, 10.

agency as "serving as an instrument or means" can be seen in the use of the *pîlegeš* by her husband and the men of Gibeah.[405] As I discuss above, the precarious position of the Levite and the men of Gibeah as potential hostile entities needs to be rectified. The neutralization of these threats occurs through the *pîlegeš,* by both parties controlling her sexuality. The difference between her role as instrument then as compared to the physical fragmentation of her body later is her position as an active participant. While the Levite reduces her to her sexuality by offering her to the men of Gibeah, she is still fulfilling her societal role as *pîlegeš*, and is not merely a physical body-object. At the time of her physical fragmentation, however, she is purely object, nothing else.

The fragmentation of her body illustrates the gross panopticism of men, their ever-present and all-seeing gaze, to which women are subjected. While Hatty and Hatty use the terminology of panopticism to refer to how women adhere to male standards of beauty, I use a broader definition which indicates the control the male gaze exerts over all aspects of women's bodies.[406] As with the trap of visibility associated with the Panopticon prison, the *pîlegeš* is seen by the men of Israel, but she, now dead, does not see; her body is now a set of objects which the men observe, but which do not themselves communicate.[407] She is viewed, on the individual level, as the resulting objects of a female body that is no longer able to contribute as a productive member of society. In addition to the panopticism of the

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405 Ibid., 75. For my discussion of Keller's instrumental agency, see ch. 2.

406 Hatty and Hatty, *The Disordered Body*, 21. See my discussion in ch. 2.

407 Foucault, *Discipline and Punish*, 202–3. Though the text says that the Levite sends her body throughout "all the territory of Israel" (*bəkōl gəbûl Yiśrāʾēl*) which causes "all the Israelites" (*kol-bənê Yiśrāʾēl*) to gather, the elder's male gaze rules the council.

Israelite men in the text, the body meets with the panoptic gaze of the male editors of the text, as well as the presumed male original audience. As with the initial action of the *pîlegeš* being thrown out to the men of Gibeah, the editors of the text offer no word of censure here, no legitimation for the dismemberment. This suggests that they see the fragmented body as a just result for the unhealthy, unproductive, infertile body of the *pîlegeš*.

The Social Body: The Fragmentation of Society

Using the body as a symbol for society is a fairly common practice, and the editors of Judg 19 employ such a metaphor with the body of the *pîlegeš*.[408] A healthy body represents social wholeness, while a body with illness represents division within society. In Judg 19, the metaphor is even less thinly veiled: the literally fragmented body represents the fragmented society. The division of the woman's body into twelve pieces refers to the twelve separate tribes of Israel. Like the *pîlegeš* herself, at the beginning of the story the tribes are part of a coherent whole, the Israelites (*bənê-Yiśrāʾēl*). When the Levite divides his *pîlegeš* into twelve, he hints at the events which will happen in ch. 20: disagreement among the tribes and civil war. Like the *pîlegeš*, the body of *bənê-Yiśrāʾēl* will be divided, but unlike the fate of the *pîlegeš*, the body of the society has a chance of once again becoming whole.[409]

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408 Douglas, *Natural Symbols*, 65. See my discussion in ch. 2.

409 As I discuss below, the use of names—Benjaminite and Israelite—in Judg 20 illustrates this division between the tribes. If Milstein is correct in her assessment that Judg 19 is a later addition to the account of the civil war, as I mention in ch. 1, then the actions of the Levite serve two purposes. On the one hand, the parallel between the Levite's cutting of his *pîlegeš* and Saul's of two oxen (1 Sam 11:7) establishes the anti-Saulide rhetoric. On the other hand, his actions set up the following scene which involves the entirety of Israel. See Milstein, "Reworking Ancient Texts," 269–76.

Besides this clear separation of the tribes, the fragmented body symbolizes the general breakdown of society, the disorder created through the improper regulation of bodies. Thus, the crisis does not simply involve a political break within the government but a loss of normalcy within the culture, which can be understood as a challenge to the facticity of the constructed Israelite social order. As I mention in ch. 2, in the process of world-building, of producing society, humans produce themselves within that world. When the constructed world is challenged, chaos reigns until the validity of the social order is reestablished.[410] The exclamation that "Nothing has been done or has been seen like this from the time the Israelites came up from the land of Egypt until today" (Judg 19:30) illustrates the challenge to the social order the previous events present. Many of the roles the individuals are expected to play—host, guest, husband, *paterfamilias*, *pîlegeš*, virgin daughter, etc.—have been improperly performed or simply ignored.

Religious Legitimation

One effective way to mitigate the threats to the social order created through these events, to re-stabilize the constructed world, is to use religious legitimation, which gives society significance on a cosmic scale.[411] I will discuss the efforts on the part of the Israelites and Benjaminites to return to normalcy after the civil war in ch. 5, but already in the midst of the chaos, religious legitimations are employed. To begin with, the Israelites gather to Yahweh at Mizpah, known as a sacred site (Judg 20:1). After hearing the Levite's tale, they vow not to return home, presumably until they have dealt with the men of Gibeah

410 Berger, *The Sacred Canopy*, 31.

411 Ibid., 32, 37. See my discussion of legitimization in ch. 2.

(Judg 20:8). Rather than attack Gibeah *en masse*, however, they decide to go up by lot (*gôrāl*; Judg 20:9). As I mention in ch. 3, casting lots is a form of divination in which one can determine Yahweh's will. Thus, by appealing to lots for the coming battle, the Israelites are providing religious legitimation for their actions against Gibeah.[412]

Note, however, that in determining the actual battle order, the Israelites do not resort to lots, but instead appeal directly to Yahweh for guidance, an action that increases the intensity of their religious legitimation (Judg 20:18).[413] After their defeat the first day, the Israelites again appeal to Yahweh, who encourages them to continue the battle the next day (Judg 20:23). When they once more suffer defeat at the hand of the Benjaminites, the Israelites weep and fast, giving offerings to Yahweh and asking for guidance (Judg 20:26–28).[414] At this point, after promising to give the Benjaminites into their hands (Judg 20:28), Yahweh actually does the smiting (Judg 20:35). Throughout the civil war, then, the Israelites use religious legitimation to justify their actions and restore the social order.[415]

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412 I leave vv. 8–9 out of my division of ch. 20 into strands. These verses may have been added to either increase the legitimacy of the Israelites' actions, or to heighten the emphasis on the ancestral land by appealing to the allotment of the land in Joshua. See my division of chs. 20–21 in Appendix B.

413 This direct appeal, in addition to the call of Judah as first combatant, hearkens back to Judg 1:1–2 where Judah once again is the first tribe called to fight the Canaanites.

414 The continual increase of religious activity, which likewise indicates a higher level of religious legitimation, perhaps explains the odd insertion in Judg 20:27b–28aα: "For the ark of the covenant of God was there in those days, and Phinehas, son of Eleazar, son of Aaron, was standing before it in those days." The ark's presence at Bethel, a high place, increases the religious legitimation provided by this scene.

415 The above sequence of events all come from Source A, 'children of Israel' (*bənê Yiśrāʾēl*). See my division in Appendix B.

The fasting and weeping in Judg 20:26 are specific bodily practices which heighten the intensity of the Israelites' religious activity. In her discussion of medieval women's piety practices, Bynum suggests that fasting is a way to discipline the body and control both the self and the environment.[416] While the exact reasons these 13th–16th century Christian women practice fasting as a religious exercise are certainly different from the reasons of the ancient Israelites, the appearances of fasting in the Hebrew Bible indicates this is a common religious practice for the ancient Israelites.[417] The Israelites fast when they want to repent for sins against Yahweh (1 Sam 7:6).[418] David fasts when his son is dying and he wants Yahweh to save him (2 Sam 12:16–23).[419] There is fasting as an act of mourning (1 Sam 31:13; 1 Chr 10:12), which is sometimes combined with weeping (2 Sam 1:12; Neh 1:4; Est 4:3). The practice in Judg 20:26 is most likely a combination of two of those purposes. On the one hand, the Israelites are mourning the loss of the men who died in their battle with Benjamin that day.[420] On the other hand, they weep and fast, as well as give offerings, before asking Yahweh for guidance. While they explicitly ask whether they should continue their war versus Benjamin, their implicit request is that Yahweh deliver them from the hand of their Benjaminite brothers, which Yahweh then promises to do.

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416 Bynum, *Holy Feast, Holy Fast*, 5–6.

417 The verb for fasting, *ṣwm*, appears in 37 verses in the Hebrew Bible, spanning various genres and time periods.

418 This scene takes place at Mizpah. See also Neh 9:1. Of course, fasting is not always seen as a proper religious practice. See, for example, Isa 58:3–6 and Jer 14:12.

419 See Ezra 8:21, 23; Dan 9:3 for other instances of fasting while asking for something from Yahweh.

420 The text claims that the Benjaminites kill 18,000 men, or 18 military units of men. See my discussion of the term *ʾelep* as a military unit of variable size in ch. 3.

Given the frequent use of religious legitimation throughout this story on the part of the Israelites, we might expect it to fully mitigate the dangers presented to the social order through the events of Judg 19. While the Israelites exploit Yahweh to legitimize their actions against the Benjaminites, they offer no legitimations for the events of Gibeah. The problem in Gibeah is not only a failure of many individuals to fulfill their societal roles properly, but also their acting in direct contradiction to these roles. As a result, the body of the *pîlegeš* is not suitably protected or regulated, and is eventually fragmented, as is society. The religious legitimation on the part of the Israelites addresses the fragmentation of the social body, but not the individual body of the *pîlegeš*. Thus, the larger breakdown of society has yet to be rectified.

SOCIAL IDENTITY IN THE CONFLICT

At first glance, the response of the Israelites toward both Gibeah and the Benjaminites seems to drastically outweigh the initial events: a faction of eleven Israelite tribes bands together in order to destroy the town of Gibeah and to wage war against the tribe of Benjamin (Judg 20:8–48). The scene at Gibeah, however, includes the participation of a variety of individuals: one Levite, his *pîlegeš*, and *naʿar*; an Ephraimite and his virgin daughter; and the men of Gibeah. Though few individuals participate in the initial events, the diversity of the people involved actually requires the involvement of the highest kinship layer in Israelite society: the entire community (*bənê-Yiśrāʾēl*). As we know, the *paterfamilias* serves as leader over his *bêt ʾāb*, and so mediates any conflicts within his

household and regulates the bodies of his subordinates.[421] When a conflict involves anyone outside his *bêt ʾāb*, he no longer has the authority to adjudicate. Depending on the social identities of the individuals embroiled in a conflict, leaders at the higher levels of kinship groups in the society have the ability to control the situation. In the case of the events at Gibeah, the individuals claim membership to three different tribes: Levi (the Levite and his party), Ephraim (the host and his virgin daughter), and Benjamin (the men of Gibeah).[422] The Levite is correct in recognizing the necessity of engaging the entire people of Israel in this quarrel; because this conflict includes men from multiple tribes, the resolution can only come from the council of the Israelite elders. Thus, the concern and obligation to properly regulate bodies in public spaces permeates all levels of society; avoiding conflict benefits society as a whole, beginning with the *bêt ʾāb* and continuing up through *bənê Yiśrāʾēl*.[423]

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421 In this way, the interest of a somatic society in regulating bodies in public spaces so as to avoid conflict begins at the fundamental unit of society, the *bêt ʾāb*. See Turner, *The Body and Society*, 20.

422 The *pîlegeš* is originally from Judah, as her father resides in Bethlehem. After her marriage, however, she is included in her husband's tribe, Levi. Though the Levite lives in the hill country and Ephraim and so likely has status there as a resident alien (*gēr*), he still remains within his tribe of Levi, just as the Ephraimite remains part of Ephraim despite his residence in the Benjaminite town of Gibeah.

423 Judg 20 reflects the importance of the entire Israelite nation. The phrases "all the Israelites" (*kol-bənê Yiśrāʾēl*; Judg 20:1, 26), "all the people" (*kol-hāʿām*; Judg 20:2, 8, 26), and "all the tribes of Israel" (*kol šibṭê Yiśrāʾēl*; Judg 20:2, 10) appear frequently. At the same time, there is only one reference to the elders of Israel, called "the chiefs" (*pinnôt*) of the people in 20:2. While inter-tribal decisions such as this are likely made by a group of elders and not the entire people, the language reinforces the fact that the events at Gibeah need to be dealt with on the national level.

Kinship Loyalty and the Conflict

In considering the role of the Israelite people in mediating between the various parties of the Gibeah conflict, we are examining the political body, the aspect of the body which looks at the power relations between bodies and between a body and society.[424] Reminiscent of the horizontal and vertical surveillance present in Foucault's concept of panopticism, the power to observe and regulate bodies occurs both at the level of the *bêt ʾāb* (horizontal surveillance) and the higher levels of society (vertical surveillance).[425] What makes the power relationship between bodies and societies in ancient Israel interesting, however, is the fact that it is described using kinship terminology, which appears throughout this section, such as people (*ʿam*), Israelites (*bənê-Yiśrāʾēl*), and tribe (*šēbeṭ*). Additionally, in the account of the actual civil war, the Israelites refer to Benjamin as brother (*ʾāḥî* 'my brother'; Judg 20:23, 28; *ʾāḥîw* 'his brother'; Judg 21:6).[426] The Benjaminites refer to the Israelites once as 'their brothers' (*ʾāḥêhem*; Judg 20:13).[427] In this familial setting, then, the civil war is a conflict within the family which begins when the Benjaminites remain loyal to their closer kin, the men of Gibeah, rather than honoring their highest affiliation, that of *bənê-Yiśrāʾēl*, as do the rest of the Israelites. As Gibeah is within

424 Lock and Scheper-Hughes, "The Mindful Body," 23–28. See ch. 2.

425 Foucault, *Discipline and Punish*, 171.

426 While the use of the singular ("my" and "his") can seem awkward to the English speaker, it should be understood here as the collective singular, referencing the Israelites as one unit. Note also that in the initial events at Gibeah, the Ephraimite host refers to the men of Gibeah as 'my brothers' (Judg 19:23).

427 All of these familiar references belong to Strand A. See Appendix B.

the tribe of Benjamin, by refusing to muster for battle, the Benjaminites choose their intra-tribal ties over their inter-tribal ties.[428]

The pan-Israelite identity which unites the tribes before the advent of the monarchy is at stake in this narrative. Throughout the account of the civil war in Judg 20, the text definitely separates the Benjaminites from the rest of Israel.[429] While Judg 20:1 remarks that "all the Israelites" (*kol-bənê Yiśrāʾēl*) muster, the aside in Judg 20:3, "The Benjaminites heard that the Israelites had gone up to Mizpah," suggests that they are not initially part of the council.[430] According to the text, the Benjaminites are no longer considered part of Israel. Indeed, the civil rages between the Benjaminites (*bənê-Binyāmīn*, *Binyāmīn*, or rarely *ʾîš Binyāmīn*) and the Israelites (*bənê-Yiśrāʾēl* or *ʾîš Yiśrāʾēl*), not the

428 The Benjaminites' decision might stem from a concern that the ancestral land (*naḥălâ*) remain in the hands of its original owners, the men of Gibeah. If Israel completely destroys Gibeah, their land permanently shifts ownership. See my discussion on land inheritance in ch. 3.

429 Daniel Fleming suggests that this account actually presents the Benjaminites as foreigners. The similarity between Benjamin (*Binyāmīn*) and the Mari group *Binu Yamina* in the early second millennium, coupled with the observation Benjamin appears to have the most complex social structure in Iron Age I, suggests that this group is an early part of Israel's cultural milieu, but does not easily assimilate to the Israelite people. Fleming argues that Benjamin is, "ancient yet somehow marginal." See Fleming, *The Legacy of Israel*, 144–161 for his discussion. See also Avraham Faust, *Israel's Ethnogenesis: Settlement, Interaction, Expansion and Resistance* (London: Equinox, 2006), 131.

430 Since the Levite sends out twelve pieces of his wife's body, the Benjaminites presumably receive one, but due to the context of the situation in Gibeah, do not attend the meeting, already choosing their kinsmen over the rest of the Israelites.

Benjaminites and the rest of the Israelites.[431] The Hebrew text offers no qualifications to the category of "Israelite" because the Benjaminites are now a separate entity.

By refusing to attend the meeting at Mizpah, the Benjaminites question the very legitimacy and efficacy of the pre-monarchic government. Whether they guess the results of the council, the tribe of Benjamin does not trust the ability of the assembly to properly address the events at Gibeah. If the parallel story of in Gen 19 is known throughout Israel at the time of the judges, which is debatable, then the Benjaminites may have drawn the presumed punishment for Gibeah from that story: total destruction.[432] Only when the Israelites address the Benjaminites, demanding they hand over "the men, the worthless ones (*bənê-bəlîyaʿal*) who are in Gibeah" is their fate mentioned explicitly (Judg 20:13). Even at this point, however, there is no sense that the entire town of Gibeah will be destroyed; rather, it appears that only the men responsible will perish.

Yet therein lies the result which the Benjaminites are perhaps attempting to avoid. The events at Gibeah are perpetrated by "the men of the city, worthless men" (*ʾanšê hāʿîr ʾanšê bənê-bəlîyaʿal*; Judg 19:22). The terminology used can designate either all of the men of the city, all of whom are worthless, or a specific group of men in the city who are worthless. If all the men are involved, then their death means near complete destruction of

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431 My use of the term 'Israelite' throughout this discussion of the civil war reflects this distinction. Only after the final resolution of the war, when everyone returns to their ancestral land (*naḥălâ*), do the Benjaminites rejoin the rest of Israel.

432 The episode of Sodom and Gomorrah likely comes from the J source, one of the earliest two sources, which dates to the 8th–7th centuries. Though the J source includes earlier material, such as Exod 15, we cannot be sure how much was known in Iron Age I (ca. 1200–1000 BCE). See Friedman, *Who Wrote the Bible?*, 86–87.

Gibeah, even if the women and children survived. While the women can potentially marry again with the tribe of Benjamin, their Gibeah husband's ancestral land (*naḥălâ*) will change hands, now belonging to their new husbands.[433] In order to keep the inheritance within the *bêt ʾāb* (household), these women would have to support their families as widows until their sons are old enough to marry and take care of the land. Obviously, this solution contains many difficulties, and so we might surmise that in order to preserve the land of their kinsmen, the Benjaminites choose to oppose the Israelites and their resolution of the situation, and therefore the very order of society.

Mitigating the Benjaminite Threat

As I mention above, the Israelites heavily employ religious legitimation to justify their actions against the Benjaminites, and to a much lesser extent, the town of Gibeah.[434] Through the action of the civil war, they use an extreme form of socialization and social control to alleviate the threat the Benjaminites pose to the social order through their unwillingness to support the national goals. The civil war serves as a way to "train" bodies to have internal discipline so that the events at Gibeah and a division between the tribes will not happen again.[435] The people of Gibeah do not survive, but their demise, the control of their bodies to the point of death, dissuade other members of the tribe of Benjamin, and indeed of all tribes, from repeating their actions.

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433 See my discussion of Zelophehad's daughters in ch. 3.

434 The text provides no legitimation on the Benjaminites' behalf. They text is clearly written from the point of view of the Israelites, and Benjamin provides no justification for their actions.

435 Berger, *The Sacred Canopy*, 29; Foucault, *Discipline and Punish*, 136–37; and Mauss, "Les techniques du corps," 365–86.

Of course, not only the Benjaminites behave poorly. The Ephraimite and the Levite both fail to fulfill their roles as host and guest, respectively, and the Ephraimite incorrectly tries to control access to the body of the *pîlegeš*. The initial defeat and deaths of many Israelites during the first two days of battle discipline all the people of Israel to correct their improper behavior. If the Israelites are victorious on the very first day, the actions of the Ephraimite and Levite will have been all but ignored, remaining a threat to the social order. Each body in its own place must be useful to society; nonconforming individuals who do not properly fill their social roles and try to exceed their rightful power are not useful. Incorrect behavior needs corrective punishment in order to maintain the docility of bodies.[436]

The Social Role of the Warrior

Throughout the description of the civil war, numerous terms are used to refer to the warriors on both side of the conflict. The most frequent description is 'armed men' (*ʾîš šōlēp ḥāreb*), used twice in reference to the Benjaminites (Judg 20:15, 17) and once with the Israelites (Judg 20:46). In addition, the term is twice used in the plural without the noun 'man' (*šōlpê ḥāreb*), once referring to Benjamin (Judg 20:25) and once to the rest of Israel (Judg 20:35).[437] As I will discuss below, one segment of the Benjaminite force is called 'chosen' (*ʾîš bāḥûr*; Judg 20:15–16), as is the Israelite front-line (Judg 20:34).[438] Finally,

436 Foucault, *Discipline and Punish*, 177–80. See my discussion in ch. 2.

437 These various references to the men as warriors occur in both strands, suggesting the ubiquity of these terms in ancient Israel. See Appendix B.

438 Unlike all the other terms for warriors, the identification of "chosen" only appears in Strand A. See Appendix B.

only the Israelites are designated 'men of war' (*ʾîš milḥāmā*; Judg 20:17), while only the Benjaminites 'men of strength' (*ʾanšê-ḥāyīl*; Judg 20:44, 46). Regardless of their specific title, except for the left-handed warriors discussed below, all these men perform the basic societal role of warrior. This social identity requires the strict discipline and training of the body in a specific way in order to produce a body able to fulfill this role.[439]

Among the Benjaminite warriors, 700 are specified as left-handed, literally 'bound on the right hand' (*ʾiṭṭēr yad-yəmînô*; Judg 20:16).[440] The designation of left-handed warriors only occurs twice elsewhere in the Hebrew Bible. Ehud, a Benjaminite judge who defeats Eglon, is called a left-handed man (*ʾîš ʾiṭṭēr yad-yəmînô*; Judg 3:15). Another set of Benjaminites are described as ambidextrous, able to shoot arrows and sling stones with the right hand or the left (*masəmiʾlîm*; 1 Chr 12:2). Given the meaning of the name Benjamin, son (*bin-*) of right hand (*-yāmîn*), the fact that only Benjaminite warriors are ever labeled 'left-handed' is ironic. Perhaps the text demands its readers take special note of these warriors who are either naturally left-handed or trained to fight using that hand.

Boyd Seevers and Joanna Klein suggest, while the Benjaminites as a whole might have a slight predisposition to be left-handed at birth, the trait is likely encouraged in their

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439 Foucault, *Discipline and Punish*, 149–54.

440 The reference to the left-handed warriors belongs to Strand A. See Appendix B. Suzie Park points out that some cultures consider the word "left" a curse word, and so avoid using the term. In the Hebrew Bible, the occurrences of the word 'right', *yāmîn*, far outnumber that of 'left', *śəmōʾl*. Perhaps the designation of these warriors as "bound on the right hand" is an attempt of the editors to refrain from using the word left. Suzie Park, "Left-Handed Benjaminites and the Shadow of Saul," *JBL* 134 (2015): 707.

training.[441] While the left hand, in general, appears to not have been as socially preferred as the right,[442] in the case of hand-to-hand combat, a left-handed warrior has a distinct advantage. Because up to 90% of the population tends to be right-handed, most warriors will have little experience fighting against left-handed opponents. Purposefully training warriors to fight left-handed, then, gives those warriors a strategic advantage in battle.[443] Indeed, both instances of left-handed warriors suggests they are superior fighters.[444] Ehud is a strong warrior raised up as a judge by Yahweh, who audaciously uses his left hand to

441 Klein and Seevers note that recent genetic studies have suggested some genetic component to handedness, though environmental factors likely heavily influence the trait. Joanna Klein and Boyd Seevers, "Biblical Views: Left-Handed Sons of Right-Handers," *BAR* 39 (2013): 26, 69–70. See also Eero Vuoksimaa, Markku Koskenvuo, Richard J. Rose, and Jaakko Kaprio, "Origins of Handedness: A Nationwide Study of 30,161 Adults," *Neuropsychologia* 47 (2009): 1294–1301; and Ian Christopher McManus and M. Philip Bryden, "The Genetics of Handedness, Cerebral Dominance, and Lateralization," *HN* 6:115–44.

442 For biblical examples of the preference for the right, see, for example, Gen 48:13–1, where Jacob (Israel) places his right on Joseph's younger son Ephraim. Joseph objects, claiming his right hand should be placed on the first-born. Ephraim gets the right hand since will be greater than his older brother. See Park, "Left-Handed Benjaminites," 704–7 for a discussion of the preference of the right in the Hebrew Bible and other cultures.

443 Park points out the continued overrepresentation of left-handed people, known as southpaws, in face-to-face "battle" sports such as boxing, fencing, and tennis. In the ancient Near East, both texts and images suggest that left-handed warriors would have had a surprising advantage over right-handed warriors. Park, "Left-Handed Benjaminites," 703. Baruch Halpern notes that Iron Age fortifications frequently force attackers to expose their right sides to the wall when approaching the gate. Since a shield on the right hand is useless, a left-handed warrior has a distinct advantage. Baruch Halpern, *The First Historians: The Hebrew Bible and History* (San Francisco: Harper & Row, 1988), 41–43.

444 The ambidextrous warriors in 1 Chronicles are among those called mighty (*gībbôr*; 1 Chr 12:1), but no specific praise is given for their skills. The fact that they can use both right and left hands in fighting, however, suggests that they have received training to be highly skilled warriors.

kill Eglon in his upper chamber (Judg 3:21).[445] Under his command, the Israelites kill 10 units of robust (*šāmēn*) Moabites, 'all valiant men' (*kol-ʾîš ḥāyīl*; Judg 3:29).[446] The 700 left-handed Benjaminite warriors are so skilled they can sling a stone at a single hair and not miss (Judg 20:16).

The evidence suggests that among some group within Benjamin, men receive specific training in order to be able to fight with their left hands, and most likely with both hands.[447] The socialization of these men to produce certain bodily techniques creates a set of docile bodies useful to society through their special role in warfare.[448] As with military training throughout the ages, these warrior bodies are not only increasingly useful to the society, but also more obedient.[449] The fact that only 700 out of the (proclaimed) 26,000 (or 26 units) Benjaminite warriors are left-handed suggests that they are the elite fighting

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445 In his commentary on Judges, Soggin argues that the phrase 'bound on the right hand' (*ʾiṭṭēr yad-yəmînô*) in Judg 3:15 suggests that Ehud is somehow deformed, and that this deformity, which makes him seem harmless, allows him to meet Eglon in such close quarters. Halpern disagrees, and instead suggests that Ehud's left-handedness indicates that he is a professional soldier, or at least as close to a professional soldier as ancient Israel has at this time period. Both images and texts from the ancient Near East support Halpern's plausible claim. For example, the typical form for archery is holding with the left and drawing with the right, as seen in the Lachish reliefs at Nineveh and Ezekiel 39:3. See Soggin, *Judges*, 50; Halpern, *The First Historians*, 41–43; *ANEP* (2nd ed.; ed. James B. Pritchard; Princeton: Princeton University Press, 1969), 5; and David Ussishkin, *The Conquest of Lachish by Sennecharib*, Publications of the Institute of Archaeology 6 (Tel Aviv: Tel Aviv University, Institute of Archaeology, 1982), 458, 296.

446 See my discussion of the term *ʾelep* as a military unit of variable size in ch. 3.

447 Some Greek versions translate "bound on the right hand" as "ambidextrous," ἀμφοτεροδέξιον.

448 Halpern suggests that the phrase 'bound on the right hand' (*ʾiṭṭēr yad-yəmînô*) indicates that they likely practiced with their right hands bound to become better fighters. Halpern, *The First Historians*, 41. For a discussion of bodily techniques and the military, see Mauss, "Les techniques du corps," 367–68.

449 Foucault, *Discipline and Punish*, 137.

force of the tribal army. In fact, these men are explicitly called 'chosen men' (*ʾîš bāḥûr*).[450] Thus, the Benjaminite fighting force is described as being superior to the Israelites', as the first two days of battle reveal.

In contrast, the Israelite army contains no left-handed warriors, or any warriors whose skills are extolled. Israelite warriors are called chosen just once (Judg 20:34), and there it is used to indicate the portion of the army used to fight the Benjaminites on the last day to pull attention away from the ambushers (*ʾōrəbîm*). They are chosen, therefore, not only because they are separate from the ambushing force, but because they almost have a sacrificial role, distracting the Benjaminites through battle so that the others can pull off their surprise attack on Gibeah. The text does not indicate whether these chosen Israelite warriors have superior skills than the main body of the force.

CONCLUSION

At the beginning of *The [Anti-] Benjaminite Novella*, the *pîlegeš*, as a female, and therefore disordered, body, needs to be controlled to maintain social cohesion. Likewise, the Levite and his party, as guests in the Benjaminite town of Gibeah, *gērîm* away from their ancestral land (*naḥălâ*), pose a threat to the host city and require bodily regulation through proper hospitality. To solve both of these problems, the Levite offers the men of Gibeah sexual access to his *pîlegeš*, killing two birds with one body, but failing in his obligation as *paterfamilias* to protect her. By the end of the civil war in ch. 20, since the Israelites kill all the women in Benjamin, not to mention all but a small remnant of men,

450 This designation appears at the end of Judg 20:15 and the beginning of 20:16.

there are no more female bodies to represent disorder.[451] Do the (subordinate) male bodies now represent disorder? In terms of bodily regulation, the whole point of the war is the control over death: each group is vigorously attempting to kill the other. Understood this way, is the conquered male the disorder over which the conquering male must exert his power so as to reestablish order? Like the men of Gibeah who want to control the Levite's body to neutralize his threat to them, and the Levite substituting his *pîlegeš* to "accept" their hospitality, each faction acts in order to mitigate the power of the other. By winning in battle, the losing force becomes subordinate, and the victors have the power over their life and death. At the end of the civil war, the Benjaminite tribe now stand in the subordinate position, and without the presence of any other subordinates—women or children—the Israelites will need to regulate their bodies in order to restore social order.

After the remnant of Benjaminite men escape to the rock of Rimmon, the Israelites completely destroy not only Gibeah and everything they found there, but all the other (ostensibly Benjaminite) towns they find (Judg 20:48). Thus we see how the destruction of Gibeah and the civil war serve as punishment for all three parties involved (Levite, Ephraimite, and Benjaminite) and act as socialization to prevent further social disorders. Yet while the civil war is a normalizing judgment on the actions taken in Gibeah, the social stability of the Israelites is still at risk due to the continued deviant behavior throughout the civil war.[452] As with the Ephraimite's improper offer of hospitality and the Levite's improper acceptance, two wrongs here in the civil war do not make a right. Benjamin, by

451 Hatty and Hatty, *The Disordered Body*, 31–32.

452 Foucault, *Discipline and Punish*, 177; and Turner, *The Body and Society*, 154.

choosing to support Gibeah against Israel, ignore the fact that, due to the parties involved, the situation at Gibeah requires national attention in order to be resolved. On the other hand, Israel's total destruction of Gibeah and Benjamin goes beyond their proper ability to determine life and death, as the ban on Gibeah is never declared by either Yahweh or the elders of Israel. Also, if the *bêt ʾāb* is the fundamental unit of society, the complete destruction of Gibeah, presumably home to one *bêt ʾāb*, if not more, does not serve the good of society, especially given the concern over proper land inheritance (*naḥălâ*). The near destruction of Benjamin likewise stands in opposition to the good of society, not only due to keeping the ancestral land, but also because it goes against one of the main concerns of the somatic society: reproducing bodies to repopulate society.[453] Therefore, the social illness which begins with the improper hospitality to the Levite and his *pîlegeš* at Gibeah, continues in the civil war itself, where we see further social illness and a breakdown in society in the form of improper regulation of the bodies involved, both Israelite and Benjaminite. The reordering of the pre-monarchic society depicted in Judg 19–21 requires, like all somatic societies, a return to the proper regulation of bodies. I discuss this resolution (Judg 21) in the following chapter.

453 Turner, *The Body and Society*, 20.

Chapter 5: Of the Reordering of Israelite Society

In the previous chapter, I demonstrate how the somatic society of the ancient Israelites portrayed in *The [Anti-] Benjaminite Novella* falls into disorder in Judg 19–20.[454] The improper regulation of bodies, such as the treatment of the Levite and his party in Gibeah or the interaction between the tribes in the civil war, leads to this social illness. While the initial unsuitable hospitality offered by the Ephraimite man begins this descent into chaos, each improper action compounds its effect. In order to overcome this disorder, the society as depicted in Judges needs to reorder itself without the regulatory influence of the monarchy (Judg 21:25). This reordering can only occur through a return to the proper regulation of bodies at every level of society, from the household (*bêt ʾāb*) to the nation (*bənê-Yiśrāʾēl*).

According to the narrative in Judges, at the end of the civil war we know that the Israelites have killed all the Benjaminites, save 600 warriors who flee to the rock of Rimmon, remaining there for four months (Judg 20:47).[455] The Israelites then apparently

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454 Remember that Judg 19–21 presents an idealized view of pre-monarchic society in ancient Israel as remembered by the author(s)/editor(s) of the text.

455 The details of only 600 men surviving and the stay of four months appear in Strand B alone. Strand A simply states that the Israelites decimate the Benjaminite forces to the point their imminent loss from the tribal nation (Judg 20:45–46; 21:6). I argue that the mention of the rock of Rimmon in Judg 20:45 is a later gloss intended to tie the two strands together at this point. Nowhere else in Strand A, even in its resolution to the war in ch. 21, is Rimmon mentioned. See Appendix B.

The fact that the Benjaminites hide at the rock of Rimmon for four months recalls the flight of the Levite's *pîlegeš* to her father's house in Bethlehem, where she remains for four months (Judg 19:2). The time designation of "four months" is not common in the Hebrew Bible. David resides among the Philistines for four months in 1 Sam 27:7. 2 Kings 25:3; Jer 39:2, and 52:6 all discuss the breach made in Jerusalem on the 9th day of the 4th month in the 11th year of Zedekiah's reign during the siege of the Babylonian king

destroy all the land and settlements within Benjamin's tribal boundaries, including killing all the women and children, enacting a ban (*ḥērem*) without one ever being declared (Judg 20:48).[456] The war is effectively over; the enemy, Benjamin, has been almost completely destroyed, and without any women, has little chance of surviving as a tribe. What happens next, how the Israelites and the Benjaminite remnant deal with the devastating results of their conflict, illustrates the power and effectiveness of the kinship-based government idealized in this novella. Israel as a nation, on many levels, descends completely into chaos, but rather than staying there, the factions reconcile and reestablish order in society.

In order to examine how the Israelites manage this return to order, I begin with the results of the war and how peace and reconciliation can be reestablished. Within this initial discussion, I consider the vow the Israelites make against giving their daughters as wives to the Benjaminites and the repercussions that vow has on the reconciliation process.[457] I then examine in detail the two scenes in which the Israelites attempt to obtain wives for their Benjaminite brethren: first at Jabesh-Gilead (Judg 21:5–14) and then at Shiloh (Judg

Nebuchadrezzar. Additionally, Ezekiel has a vision in the fourth month of one year (Ezek 1:1). The only other usage occurs in 1 Chr 27:7, which is a part of a list of twelve monthly commanders of King David (1 Chr 27:1–15). Based on this evidence, it appears that the time period of four months had little symbolic significance in ancient Israel. Within *The [Anti-] Benjaminite Novella*, however, its usage here in Judg 20:47 reminds the readers of the beginning of the story and the flight of the *pîlegeš*. This could have been a deliberate attempt on the part of the editors to tie these two sections together, reinforcing the events at Gibeah as the reason for the civil war.

456 Both this almost ban in Judg 20:48 and the actual ban against Jabesh-Gilead in 21:10–14 belong to Source B. See Appendix B.

457 As I mention below, the vow, in some form, appears in both strands. See Appendix B.

21:15–23).[458] In my conclusion, I consider in general the role of women in reording the social world after the improper actions of Judg 19–20.

THE VOW AND LEGITIMATION

Judges 21 begins with an odd statement, one that seems out of place in the narrative arc: Now the Israelites (*ʾîš Yiśrāʾēl*) have sworn at Mizpah, "No man from among us will give his daughter to Benjamin as wife."[459] This oath is news to the reader, for at the Mizpah council (Judg 20:1–10), the Israelites make no mention of such a vow.[460] In fact, their declaration against Benjamin has no place in the initial council, for the Israelites have yet to demand the Benjaminites turn over the inhabitants of Gibeah for justice, and have, therefore, not yet classified the entire tribe of Benjamin as a threat (Judg 20:12–13). Of course, the absence of Benjamin from the Mizpah council already signals their distrust of the Israelite social system, but it is not until their outright refusal to abandon Gibeah that the Benjaminites become a threat to the rest of the Israelites.[461] In addition, the vow suggests that the Israelites from the beginning of the conflict expect some Benjamin men

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458 While my division of the two strands in ch. 21 is slightly more complicated than this, the general division of the two stories is sufficient for the following discussion. See Appendix B for my full separation of Strand A and B in Judg 20–21.

459 Remember that Daniel Fleming suggests the term "men of (a place)" indicates the group of men capable of making decisions for the group. See Fleming, *The Legacy of Israel in Judah's Bible*, 103 n. 38; and my discussion in ch. 1 n. 37.

460 The first mention of the vow in 21:1 belongs to Strand B, while the account of the council of Mizpah is Strand A. In Strand B's brief mention of the assembly (Judg 20:11), however, the vow is also absent. Likewise, as I will discuss below, the Israelites mention the vow again in 21:18, which belongs to Strand A. Thus both strands do not include the vow before the civil war but retroactively mention it during the war's resolution in ch. 21.

461 See ch. 4 for my discussion of the implication behind the Benjaminites' absence from the council at Mizpah.

to survive, while their actions during the actual civil war, the extreme destruction they bring upon the tribe, suggest otherwise (20:48).[462]

In an earlier project, I argue for the economic reasons behind the Israelites not wanting to provide wives for the Benjaminites from among their own daughters. On the one hand, due to the destruction of their land, the Benjaminites have little chance of offering any sort of bride-price for the daughter. Additionally, the Benjaminites are not even able to give their own daughters in exchange, as they have all perished.[463] If possible, such a reciprocal exchange of women between the opposing factions would greatly help the reconciliation process as it strengthens the kinship bonds between the two groups, but the actions of the Israelites have prevented such an exchange from happening. Typically the prohibition against marrying one set of women, in this case, the Israelite daughters, carries the counter-implication that there is another set of women who are eligible for marriage.[464] In this case, however, since marriage to foreign women, the only other natural group for the Benjaminites to marry, is generally censured, the Israelites must creatively find another eligible group without breaking their vow.[465]

While the Israelites have valid economic reasons for not giving their daughters in marriage, they may also be consciously creating a situation where they have even more control over the Benjaminites, and therefore can deliberately retrain them to be productive

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462 Both the description of the destruction in 20:48 and the vow in 21:1 belong to Strand B and stand next to each other in the final form of Judges, which makes the presence of the vow even more striking. See Appendix B.

463 Case, "Sealed with a Virgin," 34.

464 Lévi-Strauss, *The Elementary Structures of Kinship*, 51.

465 See my discussion of endogamous marriage in ch. 3.

members of society.[466] They express their desire to bring the Benjaminites back to the fold by vigorously lamenting the fact that "today one tribe in Israel is lacking" (Judg 21:3). Following their outcry, the Israelites build an altar at Bethel and offer burnt offerings (*ʿōlôt*) and offerings of well-being (*šəlāmîm*; Judg 21:4).[467] While on one level these offerings are pleas for Yahweh to help the Benjaminites in their precarious position, the placement of these offerings at the Bethel altar suggests they serve as religious legitimation for their coming attempts to obtain wives for Benjamin.[468]

The religious legitimation for their actions receives a boost in Judg 21:15, the verse which divides the first scene of wife-taking at Jabesh-Gilead from the second at Shiloh.[469]

וְהָעָם נִחָם לְבִנְיָמִן כִּי־עָשָׂה יהוה פֶּרֶץ בְּשִׁבְטֵי יִשְׂרָאֵל׃

Judg 21:15 Now, the people were moved to pity toward Benjamin because Yahweh had made a breach among the tribes of Israel.

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466 See Foucault's discussion of creating docile bodies through all-encompassing discipline in Foucault, *Discipline and Punish*, 136–91; and my discussion in ch. 3.

467 Burney interprets these verses as a later gloss due their use of 'people' (*ʿam*) and the association with Bethel. While I am not entirely convinced by his argument, I cannot make a stronger claim for it belonging to either strand. Regardless, in both strands the Israelites express concern over the loss of Benjamin and take steps to mitigate the threat of their extinction. See Appendix B and Burney, *The Book of Judges*, 450–53.

468 See Berger, *The Sacred Canopy*, 29–32, for his discussion of religious legitimation.

469 Like the earlier religious legitimation of the war in Judg 20:8–9 (see ch. 4), 21:15 likely comes from a later hand, and so is not included in either strand. See Appendix B.

According to this verse, the break between the tribes which leads to the civil war results from divine intervention: Yahweh creates the breach. In this thinking, not only the actions of the Israelites after the war, but also the war itself, have the ultimate in religious legitimation: it is all part of Yahweh's plan. Now, the religious legitimation here does not concern whether Yahweh actually has ultimate control over the recent events. Rather, by claiming religious legitimation, the Israelites, and the text's author(s)/editor(s) for that matter, are giving their actions and their social roles cosmic significance, which significantly helps to stabilize their social order.[470]

PEACE, RECONCILIATION, AND DISCIPLINE

As wars go, this civil war is especially unprofitable for the victors, the Israelites. Not only do they lose significant numbers during the first two days of battle, but they receive no spoils from the conquered people and even lament the actions they took afterward.[471] The only possible benefit the Israelites can obtain is for the Benjaminites to return to the tribal fold, thus reestablishing normalcy in society, but the end of the civil war concludes not with any declaration of peace, cessation of hostilities, or forging of a truce, but in annihilation. The war ends because the Benjaminites only have 600 warriors left, at

470 Berger, *The Sacred Canopy,* 37. See my discussion of legitimation in ch. 2.

471 The section on Sisera's mother in the poetic account of Deborah's judgeship illustrates the booty the victors expect to receive in war, noting that the men are likely "finding, dividing the spoils". While this verse uses some unusual vocabulary, it suggests that the victors take spoils which include women and various types of finery (Judg 5:28–30). In addition, as I discuss in ch. 3, Achan, the man guilty of taking goods from Jericho which results in the failed attack on Ai, takes robes, silver, and gold as booty (Josh 7:21).

least according to Strand B, and even if they are mostly elite left-handed warriors, they have little chance of overcoming the significantly larger force of the Israelites.[472] Thus, the civil war ends by default, with the Israelites victorious and the decimated Benjaminite force fleeing for safety. Israel eventually extends peace to the Benjaminites (Judg 21:13), but not until after their attack on Jabesh-Gilead and their capture of the virgins. Thus, peace and reconciliation only occur when the Israelites begin to bring order to the chaos through the regulation of both the women's bodies and the bodies of the subordinate men—the conquered Benjaminites.

Through the gift of the virgins from Jabesh-Gilead, the Israelites grant the Benjaminite men access to women's bodies without breaking their vow, and not just any women's bodies, but *Israelite* women's bodies. At the same time, the Israelites have closely controlled the Benjaminites' sexuality by determining which specific women to whom they have access. The Israelites are able to control the bodies of the Benjaminites more directly because of their new roles as victor (Israelites) and conquered (Benjaminites). In the normal set of kinship power relations, only the elders of all the Israelites potentially have the right to control the sexuality of the Benjaminite remnant.[473] As the losing faction, however, Benjamin falls to a wholly subordinate position, and thus the Israelites are justified in their treatment of them.

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472 See my discussion of left-handed warriors in ch. 4. See Appendix B for my division of Judg 20–21 into two strands.

473 The elders of the people, in effect, act as the *paterfamilias* of the "family" of Israel (*bənê-Yiśrāʾēl*). See my discussion of ancient Israelite society in ch. 3. For my discussion of the control of the *paterfamilias* over the *naʿar*, see ch. 4.

The reported vow the Israelites make against giving their daughters in marriage not only benefits themselves economically, but acts as a training device for the Benjaminites. Marriage creates strong kinship ties between the natal and conjugal homes of the bride. In a social system based on kinship relations especially, marriage takes on a political significance, as it does here at the end of the war. If the Israelites permit Benjamin to marry any Israelite daughter to help repopulate their tribe, they essentially will return to the national fold without receiving any discipline. As I mention in ch. 4, through their actions against the Israelite nation, the Benjaminites become a threat to society, a threat which must be defused.[474] One effective way to neutralize this threat is to discipline the Benjaminites, to retrain them to be docile bodies useful for the good of society.[475] Thus, the vow disciplines the bodies of the Benjaminites by determining which group of women they are eligible to marry, which women's bodies they have sexual access. The Israelites assist in the Benjaminites' attempt to repopulate their tribe, but at the same time, they train Benjamin to have internal restraint in their sexual practices: these women you can marry; the rest, you cannot.[476] The Israelites' actions underscore to the Benjaminites that society has rules which must be followed or the entire social order is questioned. In this way, then,

474 For his discussion of the precarious nature of social constructed worlds, see Berger, *The Sacred Canopy*, 29; and my discussion in ch. 2.

475 Foucault, *Discipline and Punish*, 137.

476 The restraining of individual sexuality is one of the four central concerns of somatic societies. See Turner, *The Body and Society*, 20; and my discussion in ch. 2.

the Benjaminites fall under the (vertical) gaze of the Israelites, and of the elders, but at this point, there is no lateral surveillance; only the conquerors surveil the conquered.[477]

The Israelites must extend the hand of peace to the Benjaminites for two distinct reasons. The most obvious reason, of course, lies in the fact that the Israelites stand as victors after the civil war. As such, they need to offer peace to the conquered, the Benjaminites, in effect promising to cease their hostilities toward them.[478] Besides this very practical political and military reason, the 600 Benjaminites, as a group, have entered a state of anomy, of radical separation from society, and need the help of the Israelites to return.[479] As I discuss briefly in ch. 2, people can descend into anomy if their constructed world view topples. In the case of the Benjaminites, their own questioning of the validity and ability of the Israelite government, which they initially indicate by failing to muster at Mizpah, causes their own objective reality of their world to shatter. At the group level, this disruption leads to the Benjaminites' loss of status as Israelites.[480] Once defeated in the civil war, their separation from their society becomes complete, and they tangibly remove themselves by hiding at the rock of Rimmon. The Israelites bring them to Shiloh to receive wives, physically returning them to the fold, the first step in their rehabilitation. By continuing to discipline the Benjaminites so that they can once again be docile bodies,

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477 For his discussion of surveillance, see Foucault, *Discipline and Punish*, 174–77.

478 Case, "Sealed with a Virgin," 36.

479 Berger, *The Sacred Canopy*, 21.

480 See my discussion of the separation between Israel and Benjamin as evidenced by their names in Judg 20–21 in ch. 4.

functioning members of society, the Israelites are reestablishing the social order, for both themselves and the Benjaminites.

THE FIRST RESPONSE: THE EVENTS OF JABESH-GILEAD

The Israelites twice ask the question of whether some group fails to muster at Mizpah in the aftermath of the civil war (Judg 21:5, 8).[481] These questions are interspersed between depictions of the Israelites' concern over the fate of Benjamin (Judg 21:1–4, 6–7).[482] Due to the close relation of these two elements in the text, we can already guess that they will affect one another, though their precise connection has yet to be outlined in the text. In the ensuing verses, the Israelites proclaim a ban (*ḥērem*) against Jabesh-Gilead, the town determined to have not joined the congregation at Mizpah (Judg 21:8–11). Unlike a complete ban, however, the Israelites allow for virgin women to be spared, virgins they later give to the Benjaminites as wives (Judg 21:12, 14). In this way, the events of the *ḥērem* and the exchange of women from Jabesh-Gilead begin the process of reconciliation between the two factions, a reconciliation of the social order depicted which rests on the regulation of bodies.

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481 The bulk of this passage belongs to Strand B, with a few later editorial insertions. See Appendix B. For her discussion of the later date of Judg 21:1–14 compared to Judg 21:15–24, see Milstein, "Reworking Ancient Texts," 269–76. See my discussion in ch. 1.

482 These verses divide between both strands, with vv. 2–5 as a possible later gloss, thus, the Israelites express concern over Benjamin's fate in both strands. See Appendix B.

Ḥērem as Social Control

The victorious Israelites demand the deaths (*mwt*) of anyone who "did not go up to Yahweh to Mizpah" (Judg 21:5), a phrase repeated in the second questioning (Judg 21:8). Note that the Israelites proclaim the punishment of those who fail to join the national council at Mizpah specifically, not the civil war. Thus, the guilty party, in this case, the town of Jabesh-Gilead, is guilty of not letting the tribal system work. Remember that the pre-monarchic government portrayed in Judges relies on a network of kinship layers which use both horizontal and vertical surveillance and discipline in order to control the individuals of society.[483] By not joining the rest of the assembly at Mizpah, the citizens of Jabesh-Gilead are, in fact, challenging this social order. Their failure to participate in the subsequent fighting, then, is simply a continuation of this first step of opposition.

The punishment the town of Jabesh-Gilead receives reflects the true nature of their crime: challenging the social order. Because they, like the Benjaminites, did not join the rest of Israel at Mizpah, the citizens of Jabesh-Gilead pose a threat to society, as their absence questions the legitimacy of the tribal governance.[484] In terms of Berger's world-construction, the failure of Jabesh-Gilead to muster disrupts the conversation among the Israelites in their constructed world on the proper form of government. As with any disrupted conversation, the actions of Jabesh-Gilead call into question the plausibility of

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483 See my discussion of ancient Israelite society in ch. 3. For a discussion of surveillance, see ch. 2 and Foucault, *Discipline and Punish*, 171.

484 The participation of all twelve tribes of Israel, which differs so much from the rest of the stories in Judges, emphasizes this concern over social unity. See my discussion on the regional influence of the judges in the main body of Judges in ch. 3 n. 320.

the Israelite social world. In fact, the inhabitants of Jabesh-Gilead actually go as far as collectively entering a state of anomy, completely separating themselves from their social world by not participating in the civil war, losing their status within the Israelite people.[485]

Thus, the social problem of Jabesh-Gilead needs to be addressed by the rest of the Israelites. Though they are victorious in the civil war, other threats to society must be mitigated to reestablish order to their world. If no punishments are given when a group of people do not follow rules of social order and governance, such as Jabesh-Gilead, true chaos will ensue. Thus, the *ḥērem* is used as discipline for actions of the people of Jabesh-Gilead, a form of social control to allay the threat they have posed to Israelite society. This *ḥērem* actually fulfills two goals of the somatic society.[486] To begin with, the destruction of the town, people, animals, and objects in Jabesh-Gilead provides a quite public regulation of bodies in order to prevent future disorders. In this case, the threat is not that the citizens of Jabesh-Gilead will once again challenge the social order—indeed, their bodies are regulated to the point of death—but rather that other factions within Israel, including the rebellious Benjaminites, will take it as a warning to not make the same mistakes. In this way, the *ḥērem* acts as a training exercise to discipline all bodies to have internal restraint. The citizens of Jabesh-Gilead fail to be docile bodies useful for the benefit of society in general. Though their bodies can only once again be made docile

485 See Berger, *The Sacred Canopy*, 17–21; and my discussion in ch. 2.

486 Saving virgins also helps accomplish a third goal of the somatic society—reproducing bodies to repopulate society. See Turner, *The Body and Society*, 20; and my discussion of the somatic society in ch. 2.

through death, because the all the rest of the Israelites participate in the punishment, they themselves are disciplined to be more obedient and more useful to the social machine.[487] Thus, the *ḥērem* is a form of social control over not only the citizens of Jabesh-Gilead, but also over the Benjaminites and all of Israel.[488]

Jabesh-Gilead and Saul

Though the purported scenario discussed above—the actions of Jabesh-Gilead and the Israelite response—seems plausible within the kinship-based Israelite government depicted in Judges, there are some problems with this section.[489] To begin with, the whole civil war in Judg 20 arises when one tribe, Benjamin, chooses to support their closer kin in Gibeah against the rest of Israel. As I discuss in ch. 4, they likely fear losing their kin in Gibeah, possibly complete lineages and their ancestral land (*naḥălâ*). Yet here in Judg 21, the ban (*ḥērem*) is proclaimed against an Israelite town, and no one objects. Why does their home tribe, unlike the Benjaminites, not choose to support their closer kin against the Israelites? Why is there no concern whether Jabesh-Gilead, which also may have included whole lineages, disappears from all of Israel?[490]

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487 Foucault, *Discipline and Punish*, 136–38.

488 See Foucault, *Discipline and Punish*, 7–9, 93, 216, for his discussion on spectacle in ancient society. See also my discussion in ch. 2.

489 Remember that we should consider *The [Anti-] Benjaminite Novella* as the Israelites' collective memory of pre-monarchic time, not actual history.

490 With reconciliation resting just on the horizon, the pericope's view is strictly macro-level, concerned with the nation of Israel and the relationships between the tribes.

Though the historicity of the entire *The [Anti-] Benjaminite Novella* is uncertain, this section about Jabesh-Gilead is even less likely to have a historical antecedent, not only because of its suspicious location in the story, but because of its strong connection to Saul, the first king of Israel, which have led many scholars to see Judg 19–21 strictly as anti-Saulide propaganda.[491] Jabesh-Gilead has a special link to Saul. During his reign as king, the town of Jabesh-Gilead is besieged by Nahash the Ammonite. For fear of their lives, the citizens of the city offer to make a treaty with him (1 Sam 11:1). Upon hearing of their troubles, Saul takes a pair of oxen, cuts them into pieces, and sends them throughout Israel to summon them to him (1 Sam 11:7). Saul's actions here strongly parallels the actions of the Levite in Judg 19:29, with a few key differences. Saul sacrifices two oxen, while the Levite hacks up his *pîlegeš*. The text specifies that the Levite cut her up into twelve pieces, presumably one for each tribe, while no such specification appears in 1 Sam 11, though Saul sends the pieces throughout "all the territory of Israel," which perhaps suggests twelve pieces. From a practical standpoint, however, sending more than twelve pieces would speed up the process.

Saul and his Israelites forces save the town of Jabesh-Gilead from the Ammonites (1 Sam 11:11), thus beginning his close relationship to its inhabitants. Their loyalty to Saul, likely in appreciation for his rescue from the Ammonites, lasts even after his death. When the Philistines find Saul dead in the aftermath of a battle, they behead and strip him, then

491 See Milstein, "Reworking Ancient Texts," 269–76; O'Connell, *The Rhetoric of the Book of Judges*, 297–304; and Amit, *Judges*, 342–49.

hang his body on the wall of Beth-shan (1 Sam 31:8–10). Upon hearing of his fate, the citizens of Jabesh-Gilead rescue Saul's body and the bodies of his sons and burn them upon returning home (1 Sam 31:11–12). They then bury their bones and mourn their king Saul by fasting seven days (1 Sam 31:13).

The connection between *The [Anti-] Benjaminite Novella* and Saul cannot and should not be ignored. Though this relationship has not been central to my analysis, as I am focused on the regulation of the bodies depicted in the text, it is not my intention to deny its existence. Certainly there are several connections which suggest that at least part of this pericope is used as anti-Saul propaganda at some point in its literary history, and so many of the details which connect closely to Saul are not likely to be historical. Throughout this study, however, I never assume the historicity of this story. Instead, I suggest that, regardless of its overall historicity, the story is remembered by the Israelites as an example of Israel before the monarchy and represents a likely, if idealized, scenario of improper regulation and social disorder, as well as the expected response in the pre-monarchic Israelite government and society.

Performing Virginity

The 400 women from Jabesh-Gilead who become wives to the remaining Benjaminites are performing a certain societal role, that of virgins. The language used in referring to these women makes certain they are understood as virgins of marriageable age, not younger girls, children, who are killed in the Jabesh-Gilead ban:

וְזֶה הַדָּבָר אֲשֶׁר תַּעֲשׂוּ כָּל־זָכָר וְכָל־אִשָּׁה יֹדַעַת מִשְׁכַּב־זָכָר תַּחֲרִימוּ: וַיִּמְצְאוּ מִיּוֹשְׁבֵי יָבֵישׁ גִּלְעָד אַרְבַּע מֵאוֹת נַעֲרָה בְתוּלָה אֲשֶׁר לֹא־יָדְעָה אִישׁ לְמִשְׁכַּב זָכָר וַיָּבִיאוּ אוֹתָם אֶל־הַמַּחֲנָה שִׁלֹה אֲשֶׁר בְּאֶרֶץ כְּנָעַן:

Judg 21:11 "This is the thing which you will do: every man and every woman who has known a man sexually you will exterminate." [12]They found among the inhabitant of Jabesh-Gilead 400 young girls, virgins who had not known a man sexually, and they brought them in to the encampment at Shiloh (which is in the land of Canaan).

The 400 women they allow to live are called both *naʿărâ* 'young woman' and *bətûlâ* 'young woman' or 'virgin', a combination which appears four other times in the Hebrew Bible, each time indicating a young woman of marriageable age, presumable a virgin (Deut 22:23, 28; 1 Kgs 1:2; Est 2:3). Besides this designation, each woman "has not known a man," which uses the common biblical Hebrew colloquial phrase 'to know' (*ydʿ*) to indicate sexual intercourse.

The editors of *The [Anti-] Benjaminite Novella* make certain their readers know the virginal status of the 400 women saved from the destruction at Jabesh-Gilead. Not only that, but the combination of descriptive phrases used in Judg 21:12 specify their age as marriageable.[492] The presence of 400 virgins of marriageable age in one city during the

492 Once again, only virginal women are worthy of salvation. Like the virgins in Gen 19 and Judg 19, the virginity of the women at Jabesh-Gilead legitimates their deliverance. Unlike their non-virginal sisters, such as the Levite's *pîlegeš*, the sexuality of the virgins can still be carefully regulated, and so they pose less of a threat to the social

Iron Age I is highly questionable.[493] Of course, all the numbers given throughout Judg 19–21 are likely exaggerated, such as the many thousands of men apparently fighting in the civil war. Sara Milstein argues that 400 virgins are specified in Judg 21:12 to set up the addition of 21:1–14 as a later addendum to the earlier account of the results of the civil war in 21:15–24. Because the account of Shiloh does not specify the number of virgins found there, the account of the virgins at Jabesh-Gilead needs to indicate that not enough virgins were found there to satisfy the needs of the 600 Benjaminites.[494] Even if the number 400 is only given to make room for the Shiloh account of finding wives for the Benjaminites, the suggested presence of a significant number of marriageable virgins in a town at any given time is curious. In terms of our discussion of societal roles and performing identities, we should consider whether the virgins at Jabesh-Gilead are virgins by choice. That is, are they performing their status of not-having-slept-with-a-man in a conscious way?

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order. In a similar vein, Jephthah's daughter's virginity legitimates her worth as a sacrifice in Judg 12. See Berger, *The Sacred Canopy*, 29; and Turner, *The Body and Society*, 103.

493 In his analysis of the four-room house in the Iron Age I, Stager estimates the possible range of the total populations for three different sites: Ai, Raddana, and Meshah. The highest population he suggests is 955 people in Meshah, while the smallest site, Raddana, might have housed as few as 108 people. Given the range of populations for these sites, it is quite unreasonable for a town in Iron Age I to have 400 virgin women of marriageable age. On the other hand, as I mention in ch. 1, the population of southern Judah increases substantially around the end of the 8th century. See Broshi, "The Expansion of Jerusalem in the Reigns of Hezekiah and Manasseh," 21–26; Fleming, *The Legacy of Israel*, 159–60; and Yitzhak Magen, "The Land of Benjamin in the Second Temple Period," in *The Land of Benjamin* (ed. Yitzhak Magen et al.; Jerusalem: Israel Antiquities Authority, 2004), 1–2.

494 Milstein, "Reworking Ancient Texts," 238–42. The designation of 600 survivors comes from Strand B, as I mention in n. 457 of this chapter. See Appendix B.

We have little evidence in the Hebrew Bible as to the standards and expectations of the societal role of a virgin, besides the obvious fact that she cannot have sexual intercourse with a man. We know that the virgin daughter lives in her father's household and her sexuality and access to her body is closely controlled by the *paterfamilias*, most likely her father. Yet the virgin also apparently has some responsibility in ensuring her own virginal status, at least according to deuteronomic law. Deuteronomy 22:23–24 states that if a young woman, a virgin engaged to a man, has sex with another man inside a town, both will be put to death. The man dies because he violates the woman/wife of his neighbor; the woman because she does not cry out for help.[495] Conversely, if they have sex in the countryside, only the man dies. The betrothed woman in this scenario cannot feasibly cry out for help (Deut 22:24–25). In cases where a man forces an un-engaged virgin to have sex with him, he simply must pay her bride price and marry her (Exod 22:15).

Besides the protection of her virginity, the virgin living within her father's house (*bêt ʾāb*) has certain duties to help in the running of the household. Mothers train their children of both sexes when small, but as they age, they remain responsible for the training and education of only their daughters.[496] By the time daughters reach marriageable age, they have been trained to be competent managers of their future husband's household. The

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495 The word *ʾiššâ*, used to indicate the woman's relationship to her fiancé, is often translated as 'wife' (NRSV, JPS, KJV), though it could just as easily be translated as 'woman'. Though the woman is betrothed in this scenario, she is not yet married, and so can serve as an example for the proper behavior of virgins.

496 King and Stager, *Life in Biblical Israel*, 45–47; and Bird, "Women (Old Testament)," 6:951–57.

duties we see marriageable-aged virgins performing, therefore, are the same as what she will be expected to perform once her role changes from virgin to wife. For example, Rebekah, while she still in the social role of a marriageable-aged virgin, travels to the spring to fetch water for the household (Gen 24:16).[497] Tamar, the daughter of David, nurses her half-brother Amnon when he supposedly falls ill, making food for and feeding him (2 Sam 13:7).[498]

As I mention above, virgins are socialized into their societal role mainly through the efforts of their mothers. This socialization not only teaches them the duties and expectations of their roles, but also the proper body techniques to perform those duties.[499] The social control placed on them by the *paterfamilias*, particularly on their sexuality and access to their bodies by young men, is also a major part of their standing as virgins.[500] As far as we know, the virgins at Jabesh-Gilead dutifully fulfill their societal roles as virgins, with one possible exception. While we do not know the precise age at which people typically marry in ancient Israel, evidence suggests that women marry quite young, perhaps while still teenagers, a woman likely remains within the "virgin of marriageable age" social

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497 We know she is of marriageable age because she soon marries her cousin Isaac (Gen 24:51). This perhaps is her duty because of her status as a child, not a virgin.

498 Though we know that the illness is simply a ruse Amnon employs so he can have sex with Tamar, the fact that no one questions Amnon's request suggests it is within the expected duties of her social role.

499 Mauss, "Les techniques du corps," 365–86. Notice that while these duties overlap with those of wife and mother, they are not identical. The virgins have no child-bearing or rearing duties.

500 For the regulation of female sexuality, see Hatty and Hatty, *The Disordered Body*, 31–32; Turner, *The Body and Society*, 103; and my discussion in ch. 2.

category for a short span of time.[501] The fact that a significant number of marriageable aged women in Jabesh-Gilead remain virgins suggests that some may have purposefully chosen to stay in that category for longer than is socially expected or acceptable.[502]

In performing one's identity, an individual has the choice whether to conform to the standards and expectations of their particular social roles, creating their own identity through this performance.[503] Of course, when a society wants to create docile bodies which can be best utilized for its own benefit, non-conformance in and of itself can be punished.[504] Therefore, choosing to stand at odds with one's societal role, however slight, is a risky move, yet can also be the most fundamental way for one to express one's own sense of agency. For women in ancient Israel, where they live under the control of the *paterfamilias* throughout their life, performing their identity might in many ways be the strongest form of agency they will ever have. The marriageable aged virgins in Jabesh-Gilead perhaps choose to extend the length of their stay within that social role because it offers them some freedom. Yes, they still answer to their parents, but their duties are fewer than those expected of a wife and mother. And while the decision to marry ultimately resides with their father, they could try to influence him to delay their marriage.

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501 King and Stager, *Life in Biblical Israel*, 37.

502 Again, I do not take 400 to be an accurate number. The fact that this story can be used as a way to provide wives, however, suggests a significant number of virgins.

503 See Butler, *Gender Trouble*; and idem, *Bodies that Matter*.

504 Foucault, *Discipline and Punish*, 177–80. See my discussion in ch. 2.

The question remains how the Israelites would have known who is still a virgin out of the marriageable aged women in Jabesh-Gilead. The women must be of a certain age, indicating their availability for marriage, yet have not yet married by choice, either theirs or their father's. If the Israelites do not physically check to see whether every woman's hymen remains intact, then they may have simply taken their word for it.[505] Since everyone except for virgins is declared for the ban at Jabesh-Gilead, it is extremely plausible that young married women who show no outward physical sign of marriage, such as being in the advanced stages of pregnancy, would have claimed virginal status in an effort of self-preservation. Given the threat women pose to the *bêt ʾāb* due to uncertainty over paternity, the Israelites take quite a risk if they simply accept a woman's virginal claim. As with most women, their sexuality needs to be closely monitored.[506] Regardless, the text presents the virgins from Jabesh-Gilead as performing an essential service to society as a whole by marrying the Benjaminites. I will discuss this more in detail below, after the account of the stealing of virgins from Shiloh, but for now, let me simply say that these women help the Israelites by providing the necessary means for the Benjaminites to reproduce themselves, the first goal of the somatic society.[507]

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505 David's daughter Tamar is described as wearing a certain tunic (*kuttōnet*) which "the virgin daughters of the king" wore at that time (2 Sam 13:18). Whether all virgins wear a special garment, or just royal virgins, is unclear, but this verse at least suggests that virgins can be determined by their clothing.

506 Turner, *The Body and Society*, 100–3. See my discussion in ch. 2.

507 See Turner, *The Body and Society*, 20; and my discussion of the somatic society in ch. 2.

THE SECOND RESPONSE: THE EVENTS AT SHILOH

By the end of the first response to the civil war, the *ḥērem* at Jabesh-Gilead and the redistribution of the virgins residing there, a large portion of the Benjaminite remnant now has wives. Despite the rash vow of the Israelites (Judg 21:1), the Benjaminites even have wives from among the daughters of Israel, not foreign wives. The problem, of course, lies in the fact that only part of the remaining Benjaminites receive wives. This lack of wives for the entire remnant, as I discuss below, can have biological, economic, and political repercussions. In order to fully restore order to the currently chaotic Israelite society remembered through *The [Anti-] Benjaminite Novella*, the reconciliation between the opposing sides of the war needs to be completed through further exchange of women.

Alternative Marriage

The second, though likely earlier, account of finding wives for the remnant of Benjamin begins similarly to the first. Here the elders of the congregation (*ziqnê hāʿēdâ*), instead of all of Israel, express concern over losing the tribe of Benjamin (Judg 21:16–17).[508] Here in this strand they again state the vow against any Israelite giving his daughter in marriage to a Benjaminite (Judg 21:18). The specification of the elders speaking throughout this section rather than the entire Israelite congregation is significant because of the solution proposed. Unlike at Jabesh-Gilead, the elders of Israel here procure virgins

508 As my division in Appendix B indicates, these two verses may be a later gloss. Burney suggests that the language used, such as 'congregation' *ʿēdâ*, indicates its late nature. On the other hand, the concept of the elders of Israel making decisions for the whole group clearly coheres with the vision of pre-monarchic Israelite society presented here. See Burney, *The Book of Judges*, 453.

for the Benjaminites not through battle, but through stealth and trickery.[509] They provide an opportunity for the remnant of Benjamin to steal brides for themselves from among the virgins dancing during a festival at Shiloh (Judg 21:19–21). Alternative forms of marriage can be sanctioned by society in certain circumstances; when the situation of a local cultural system changes, the system of marriage often reflects those changes.[510] We see this necessary change, at least for the Benjaminites, reflected in the scene at Shiloh. Due to the dire circumstances of the tribe and their need for wives, the elders of Israel sanction a group bride theft, which anthropologist Barbara Ayers defines as "the forceable abduction of a woman for the purpose of marriage, without her foreknowledge or consent and without the knowledge or consent of her parents or guardians."[511]

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509 Though the virgins captured at Jabesh-Gilead are presumably Israelites, their marriage to the Benjaminites does not affect the vow for two reasons. For one, their fathers, or whoever is the *paterfamilias* of each household (*bêt ʾāb*), perish in the ban against Jabesh-Gilead, and so cannot be accused of giving their daughters to Benjamin. In addition, due to the way the virgins are procured through a military engagement, they can be viewed as spoils of war to which the victorious side is entitled. Though the Israelites conquer and destroy Jabesh-Gilead, not the Benjaminites, as the victors, they have the right to give their booty, the virginal women, to Benjamin as a gift, which the remaining Benjaminites reciprocate by returning to the tribal fold. See my discussion of the cycles of gift exchange and their role in the reconciliation of the tribes in Case, "Sealed with a Virgin," 33–42.

510 Bates, Conant, and Kudat, "Introduction: Kidnapping and Elopement as Alternative Systems of Marriage," 233-37.

511 See Ayres, "Bride Theft and Raiding for Wives in Cross-Cultural Perspective," 40–42.

Ostensibly, the virgins dancing at Shiloh are Israelites, though their precise tribal affiliation is not specified.[512] The cultic site of Shiloh is located in the tribal territory of Ephraim, north of Bethel on the road between Bethel and Shechem (Judg 21:19).[513] In the period before the first Temple, Shiloh serves an important cultic center for the Israelites. The Tent of Meeting (*ʾōhel môʿēd*), otherwise known as the tabernacle (*miškan*), which housed the ark, is kept at Shiloh for a time (Josh 18:1; 1 Sam 4:3). Eli and his sons serve as priests at Shiloh (1 Sam 1:3), and Samuel is raised and trained there by Eli (1 Sam 1:24–28). The virgins dancing at Shiloh are only referred to in the text as 'daughters of Shiloh' (*bənôt šîlô*; Judg 21:21). Rather than indicating these women's kinship affiliation, however, this term more likely simply confirms their role as participants in the yearly festival at Shiloh. In fact, throughout the Hebrew Bible, there is no suggestion that Shiloh was the name of a clan (*mišpāḥâ*) or household (*bêt ʾāb*) within the tribe of Ephraim. Shiloh only appears as a religious site important before the centralization of the cult in Jerusalem.

Given my discussion in ch. 3 about the tribal government depicted in the book of Judges, the layers of regulation and control connected to the various kinship levels, the fact that the elders of Israel are able to give the daughters of Shiloh to the Benjaminites suggests

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[512] While their tribe(s) of origin is not specified, clearly these virgins belong to one (or more) of the tribes of Israel. According to Norman Gottwald, the captured virgin daughters are specifically Ephraimites. Gottwald, *The Tribes of Yahweh*, 349.

[513] The biblical text never specifies to which tribe Shiloh belongs. Since it we know that Shiloh is located north of Bethel, we can infer its location in Ephraim. Bethel is located in the border-territory between Benjamin and Ephraim. The initial division of the land in Josh 18:11–13 places it in Benjamin, but Judg 4:5 associates it with Ephraim.

that the virgins are not, in fact, members of one single tribe.[514] The presence of the elders in this segment, instead of all of Israel, also solves the problem of the vow against giving Israelite women to Benjamin in marriage (Judg 21:18). Presumably the elders do not themselves have any daughters dancing among the women at Shiloh, so they can grant permission for the remnant of Benjamin to capture women for wives without breaking the vow. In addition, because only the elders know about this solution, the fathers and brothers of the captured women do not violate the vow (Judg 21:22).[515]

The elders give the Benjaminites very specific instructions for their capturing of wives at Shiloh. The men are to go lie in wait (*ʾrb*) in the vineyards at Shiloh and watch for the dancers (Judg 21:20). When the dancers appear, the Benjaminites should leave the vineyard and each carry off (*ḫṭp*) a wife. At that point, the men can return to their tribal land with their new wives (Judg 21:21). The elders have the right to give the Benjaminites these instructions because they are the elders over all of Israel, and so rightfully control

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[514] Since the control of women's bodies, the right to sexual access to their bodies, resides in the hand of the *paterfamilias*, then if these women are all from the same tribe, the elders of that single tribe have the right to grant the Benjaminites access to their bodies. Just as the situation at Gibeah requires the intervention of the entire Israelite people due to the various parties involved, so too the control of the Shiloh dancers' sexuality can only rightfully be controlled by the Israelite elders if they come from multiple tribes.

[515] Of course, at the same time, the fathers lose their daughters without any monetary compensation. As I mention above, while the fathers do not receive any economic reparation, the Israelite people as a whole benefit from this exchange through the renewed trust and loyalty of the Benjaminites. On an individual level, however, a father might find the nation-wide benefit much less satisfactory than the bride price he expects to receive for his virgin daughter. See Case, "Sealed with a Virgin," 41–42.

everyone below them, including subordinate males.[516] Yet, as I mention in ch. 4 in my discussion of the Levite's servant (*naʿar*), the *paterfamilias* does not have specific control over the sexuality of subordinate men. However, social norms, which the elders of the people monitor, fully regulate the sexuality of subordinate men. In addition, the situation at the end of the civil war (Judg 21) places both the Israelites and the Benjaminites in a unique situation relative to one another, as I discuss below.

Victor and Vanquished

Though the skillful Benjaminite warriors manage some initial victories, the Israelites ultimately defeat them, decimating the tribe. At that point, the rest of Israel stands as the victors, while the remaining Benjaminite men are the vanquished. This places these two factions in a very specific relationship. As the conquerors, the Israelites have absolute control over the Benjaminites, the losers, up to and including the point of death. The remnant of Benjamin, as a reminder of their challenge to the social system (see ch. 4), remain a threat to Israel, even after their defeat. Therefore, the social control placed upon the Benjaminites by the Israelite elders serves to neutralize their continued threat.[517] We can even speculate whether controlling the bodies of the subordinate, defeated Benjaminite

516 The elders can set the marriageable community for the Benjaminites, but not the specific individuals each one chooses. They also must try to appease the father/brother of each virgin stolen, as each head has control over the sexual regulation of his household. Turner, *The Body and Society*, 104, 125.

517 See Berger's discussion of threats to the constructed world order in Berger, *The Sacred Canopy*, 29.

men serves a similar function to the Israelite elders that controlling female bodies normally does: reestablishing order in the face of disorder.[518]

By creating a situation where the Benjaminites can take wives from among the Israelite people, the elders ensure the reproduction of society, in particular the tribe of Benjamin.[519] Though in theory only Benjamin is at the edge of extinction, the despair the Israelites express at the thought of Benjamin disappearing reflects the importance of its survival to their current social order (Judg 21:2–3, 6, 17).[520] Tribal society relies on the careful ordering of specific kinship layers, while the pre-monarchic society remembered by the author(s)/editor(s) of this pericope requires the continuation of the full 12-tribe league.[521] Without Benjamin, the dynamic of the higher layers of society changes significantly, as already seen with the civil war. Additionally, given the importance for ancestral land (*naḥălâ*) to stay within its original household, the loss of Benjamin will wreak havoc on the land tenure system.[522] These two points suggest that the sorrow expressed by the Israelites is not simply pain over losing some of their kin, but genuine distress over the wider effects losing Benjamin will have on their entire social order. So in

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518 Hatty and Hatty, *The Disordered Body*, 31–32. For my discussion of the female body as the disordered body, see ch. 2.

519 See Turner, *The Body and Society*, 20, for his enumeration of the four concerns of somatic societies. See also my discussion in ch. 2.

520 As I mention in ch. 4, though the naming of the factions separates the Benjaminites from the rest of the Israelites, unlike the fragmented body of the *pîlegeš*, the pan-Israelite league has the potential to reorder itself into a single entity once more.

521 See my discussion in ch. 3.

522 See ch. 3 for my discussion of proper land inheritance.

addition to the unique relationship of conqueror and conquered, the heightened threat to society due to the real possibility of one tribe disappearing from the congregation leads to closer control over bodies.[523]

Placing this second scene of wife-taking during a religious festival gives religious legitimation to the events, which Berger argues is the most effective form of legitimation.[524] The religious legitimation for the Israelites' attempts at reconciling with the tribe of Benjamin helps to effectively neutralize the threat posed to their constructed when the Benjaminites doubt the effectiveness of the inter-tribal council. Note that the elders order the Benjaminite remnant to lie in wait (*ʾrb*) before capturing their wives at Shiloh (Judg 21:20). Though this verb *ʾrb* is not exclusive to *The [Anti-] Benjaminite Novella*, its appearance here reminds us of the Israelite ambushers (*ʾōrəbîm*) on the third day of battle who destroyed Gibeah and ultimately cause the demise of the Benjaminites (Judg 20:36–41).[525] If regulating bodies in public spaces prevents disorder in society, what does publically regulating bodies in reflection of the original conflict accomplish?[526] This recreation of the ambush both negates the original by overcoming its effects (providing wives for Benjamin) and continues to mitigate the Benjaminite menace by symbolically aligning them with the Israelite conquerors.

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523 See Douglas, *Purity and Danger*, 39–40; and Lock and Scheper-Hughes, "The Mindful Body," 24.

524 Berger, *The Sacred Canopy*, 32.

525 The details of the ambush are only found in Strand B, but Strand A also mentions the ambushers (20:33b). See Appendix B.

526 See my discussion in ch. 2; and Turner, *The Body and Society*, 20.

In addition, the active role the Benjaminites play in this account connects them with the victorious force. In the first scene, the Israelites place the ban on Jabesh-Gilead and simply give the virgins to the Benjaminite men as a conciliatory gift. Here at Shiloh the Israelite elders grant them permission to take more wives, but they must steal their brides themselves. This taking of women moves the Benjaminites from passive to active status. In the scene at Jabesh-Gilead, the Benjaminites have no agency, not even instrumental agency.[527] At Shiloh, though they act at the behest of the Israelite elders, each can choose to take any woman dancing at the festival as wife. This taking mimics the taking of women by victors after a battle. As I mention above, we can view the virgins captured from Jabesh-Gilead as the spoils of battle taken from the conquered city by the Israelite forces. Though no military engagement happens directly at Shiloh, the actions parallel not only the first at Jabesh-Gilead, but also the typical pillaging which occurs after a successful campaign. Thus, symbolically, the Benjaminites join the victorious Israelite force.

By this time, of course, the Benjaminites physically rejoin the Israelite people. The Benjaminites come to receive their brides at Shiloh and do not leave again until they return home after taking wives from among the dancers at the festival (Judg 21:23). They can return to their homes because the Israelite elders not only permit this, but even order them to do so (Judg 21:21). The elders are slowly re-socializing the Benjaminites, helping them

527 By this I mean that the bodies of the Benjamin remnant in the first story serve as neither the location nor the means for reconciliation to occur, unlike the bodies of the women exchanged. See ch. 2 and Keller, *The Hammer and the Flute*, 75–76.

to re-learn the proper behavior required by society to maintain order.[528] Thus, the procurement of wives for the Benjaminites serves the dual purposes of reconciling the two factions to one another and ensuring the continued survival of the tribe of Benjamin.[529] The final step in this re-socialization and reconciliation is for the Israelite elders to trust the Benjaminites to return to their own land (*naḥălâ*) as fully functioning members of society who will no longer question the legitimacy of the social order. The Benjaminites, on their part, show their willingness to once again submit to society's demands by following the elders' instruction to take wives and return home to their land, where they will live and work as proper Israelites in the newly reordered society.[530]

Virgin or Not: The Festival at Shiloh

Unfortunately, we know relatively little about women's religious life in ancient Israel, especially practices unique to women, with the exception of purity laws and practices surrounding menstruation (Lev 15:25–30) and childbirth (Lev 12:2–8). However, since the Hebrew Bible periodically expresses concern that a foreign wife will cause her husband to stray to another deity (for example, Exod 34:16; 1 Kgs 11:4-6; Neh 13:27–28), we can reasonably assume that women have some influence over the religious practices of

528 See Berger, *The Sacred Canopy*, 29; and Foucault, *Discipline and Punish*, 177–84.

529 See Case, "Sealed with a Virgin," 30–44.

530 This scene at Shiloh alone, as I have shown, fully reconciles the two factions, supporting the claim that vv. 1–14 are added to give this narrative an anti-Saulide slant. See Milstein, "Reworking Ancient Texts," 269–76.

the household.[531] Women are very occasionally identified as having a specific religious position, especially in the pre-monarchic and early monarchic time-periods.[532] For example, Miriam is called in prophet in Exod 15:20 and has some leadership among the people throughout their time in the wilderness. In Judges, Deborah is the only woman said to judge (*špṭ*) Israel, and is identified as a prophet (Judg 4:4). Nevertheless, besides these exceptional women we know little about the religious life of Israelite women.

In two different stories in Judges, however, we have brief mentions of religious festivals specific to women. When Jephthah's daughter accepts her fate as sacrifice to Yahweh, she asks that her father grant her two months in which she can go to the hills with her companions and "lament over my virginity" (*wəʾebke(h) ʿal-bətûlay*; Judg 11:37). Her story ends with a notice of the beginning of a custom in Israel:

מִיָּמִים ו יָמִימָה תֵּלַכְנָה בְּנוֹת יִשְׂרָאֵל לְתַנּוֹת לְבַת־יִפְתָּח הַגִּלְעָדִי אַרְבַּעַת יָמִים בַּשָּׁנָה׃

Judg 11:40 Every year, the daughters of Israel would go to mourn Jephthah's daughter the Gileadite four days a year.

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531 See my discussion of marrying foreign women in ch. 3. For a discussion of a woman's role in household religion, see Phyllis A. Bird, "The Place of Women in the Israelite Cultus," in *Ancient Israelite Religion: Essays in Honor of Frank Moore Cross* (ed. Patrick D. Miller, Jr., Paul D. Hanson, and S. Dean McBride; Philadelphia: Fortress, 1987), 397–419; and Carol Meyers, *Households and Holiness: The Religious Culture of Israelite Women* (Minneapolis: Fortress, 2005).

532 Hackett, "In the Days of Jael," 17.

No other details of this ritual are given, either here or in other sources, so we have little concept of how this yearly festival may have been practiced, if indeed it ever is.[533] Regardless, its presence suggests that religious rituals restricted to women are likely practiced in ancient Israel, just like exclusively male rituals.

In the story of bride theft at Shiloh, we have evidence of another religious festival involving women, perhaps once again exclusively. The elders note that the yearly festival of Yahweh (*ḥag-YHWH*) is currently taking place at Shiloh (Judg 21:19), which will provide an opportunity for the Benjaminites to receive wives. At least one part of the festival involves women dancing (*ḥwl*) in the dances (*məḥōlôt*) near the vineyards at Shiloh (Judg 21:21). While the identity of this particular festival remains unclear, as does the question of whether men are involved in some other part of this ritual, at no point does the text specify that only virgins participate in the dance at this festival. The women are never specifically marked as virgins, only as daughters of Shiloh (*bənôt šîlô*; Judg 21:21). We assume their virginal status because the men of Benjamin have permission to claim any of them as brides, a concession which hardly would be granted if any of the women are already married.[534]

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533 Following the notice in Ezek 8:14 that women are "weeping for Tammuz," some scholars suggest that Judg 11:40 also refers to this mourning ritual, making it more acceptable as an Israelite women's ritual. See, for example, Norman H. Snaith, "The Song of Songs: The Dances of the Virgins," *AJSL* 50 (1934): 139–40; Florence B. Lovell, "Biblical and Classical Myths," *The Classical Journal* 50 (1966): 275. See also Wolfgang Richter, "Die Überlieferungen um Jephtah Ri 10,17–12,6," *Biblica* 47 (1966): 485–556, for a discussion of this ritual.

534 Snaith argues that only virgins participate in the dances at both Shiloh and in commemoration of Jephthah's daughter. See Snaith, "The Song of Songs," 140.

With both of these examples of religious festivals either completely or partially exclusive to women, virginity stands as a central issue. The festival at Shiloh involves only virgins in the ritual dancing.[535] The ritual surrounding Jephthah's daughter likely remembers her virginal status which she herself laments. I find it extremely plausible, given this focus on virginity, that the yearly festival associated with Jephthah's daughter is practiced solely by virgins. The text identifies the women participating in this event as 'daughters of Israel' (*bənôt Yiśrāʾēl*; Judg 11:40), just as the virgins at Shiloh are 'daughters of Shiloh' (*bənôt šîlô*; Judg 21:21). Cross-cultural evidence suggests that religious activity among women often increases when the woman is post-menopausal or has grown children.[536] In other words, women who have fewer obligations to their families and households have the ability to devote more of their time to religious activity. Following that reasoning, however, virgins are just as likely to have an increased participation in religious activities. While she still has specific duties and obligations to fulfill in her social role as virgin daughter, she does not have the increased demands of caring for husband or

535 Note my discussion of Shiloh as a cultic site above.

536 For example, the Pythia, the Delphic Oracle in ancient Greece, reportedly maintains no familial commitments once selected, even if she is currently married with children. The 1st–2nd century CE Greek writer Plutarch argues that the woman selected should be a virgin (*Mor*. 5.405). See Herbert W. Parke and Donald E. W. Wormell, *The Delphic Oracle, Vol I: The History* (Oxford: Blackwell, 1956), 34–35. Also, the *nadītu* priestesses were expected to remain childless in ancient Babylonia. See Ulla Jeyes, "The *Naditu* Women of Sippar," in *Images of Women in Antiquity* (2nd ed.; ed. Averil Cameron and Amélie Kuhrt; London: Routledge, 1993), 260–272. In the Hebrew Bible, the wise woman of Tekoa is a widow with grown children (2 Sam 14:4–7). For a discussion of oracles in both the ancient Near East and ancient Greece, see Herbert B. Huffmon, "The Oracular Process: Delphi and the Near East," *VT* 57 (2007): 449–60.

children. It could be, then, that participation in certain religious festivals is an important part of performing one's identity, publically, as virgin.

CONCLUSION

By the end of *The [Anti-] Benjaminite Novella*, all the parties involved in the civil war make their way home to their own territory. The Benjaminites receive permission from the Israelite victors to return to their land (*ʾereṣ binyāmīn*; the land of Benjamin) after taking wives from among the women dancing at Shiloh (Judg 21: 21). The Benjaminites obey this order and return to their ancestral land (*naḥălâ*; Judg 21:23). The Israelites only return to their own territory after that point, when the conflict with the Benjaminites has been fully resolved and they know that the tribe of Benjamin will reproduce and survive with their new wives (Judg 21:24).[537] These two notices reflect the continued importance of ancestral land remaining within the hands of its original owners as much as possible. By specifying that all members of the Israelite nation, including the Benjaminites, go back to their own land, the editors of the text signal that order has once again been established in the society.

This re-ordering could not have occurred without the participation of the women at Jabesh-Gilead and Shiloh. In these two scenes of reconciliation between the Benjaminites and the rest of the Israelites, women play an essential role. Despite the vow against giving Israelite daughters to Benjamin in marriage, it is exactly this process which reestablishes the kinship bonds between the two groups, not just because of kinship ties, but because it

537 Both strands conclude with the people returning to their land. See Appendix B.

reinforces patriarchal standards, helping to return the Israelite society to its normal functioning state.[538] Yet the social order is not created through the direct actions of women; order is reestablished by the men of society, and specifically by the Israelites, those who have the right to control their subordinates, such as the women and the conquered men.

As Hatty and Hatty have rightfully pointed out, women's bodies throughout history have represented disorder to men.[539] In the patriarchal world of the Hebrew Bible, this is certainly the case, as I discuss in ch. 2. This particular discussion of women's bodies as disorder relates to all three theoretical aspects of the body outlined by Lock and Scheper-Hughes.[540] An individual female body is controlled by men at various levels of society, beginning with the *paterfamilias* of her natal, and later conjugal, household. As a social body, however, the female body symbolizes disorder—danger, threat—to the society of men. This threat leads the men to try to exercise power and control (the political body) over female bodies, particularly over their sexuality, in order to bring order to the disorder the female body creates.[541]

The control over sexual access to women's bodies extends beyond the virgins found at Jabesh-Gilead and Shiloh. By initially refusing to give their own daughters in marriage to the Benjaminite remnant, the Israelites exert their control over all the women of the land

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538 For a more in depth discussion of the importance of kinship in this reconciliation, see Case, "Sealed with a Virgin," 30–44.

539 Hatty and Hatty, *The Disordered Body*, 31–32.

540 See Lock and Scheper-Hughes, "The Mindful Body."

541 Ibid., 18–23; and Hatty and Hatty, *The Disordered Body*, 31–32. See also Turner, *The Body and Society*, 210; and my discussion in ch. 2.

(Judg 21:1, 7, 18). The events at Gibeah and the civil war challenge the very fabric of society but order is reestablished by the *paterfamilias* of each household exercising one of his most basic rights and duties—making proper marriages for virgins in his household. As the prohibition against marrying one set of women indicates another eligible group, the Israelites regulate access to the bodies of the virgins at Jabesh-Gilead and Shiloh by marking them as the eligible group from which the Benjaminites can take wives.[542] This proper control of women's bodies thus not only reconciles the factions through kinship ties, but reestablishes social order out of the chaos.

In ch. 4, I argue that the *pîlegeš* possesses instrumental agency because the men of Gibeah and the Levite neutralized the hostilities between themselves through their control of her body. Likewise, here at the conclusion of the civil war, the women exchanged have instrumental agency because they are the instrument of reconciliation, the means through which rapprochement between the warring factions is achieved.[543] Not only that, but in both the scene at Gibeah and in the aftermath of the war, the bodies of women serve as the location for relations between men to be mediated. This view differs drastically from the feminist interpretations that see these women as another set of victims in *The [Anti-] Benjaminite Novella*.[544] While I do not wish to diminish the horrors of their situation as seen from a modern-day perspective, in patriarchal ancient Israel, their situation does not

542 Lévi-Strauss, *The Elementary Structures of Kinship*, 51.

543 Keller, *The Hammer and the Flute*, 75.

544 See my discussion in ch. 1.

stray far outside the norm. Though the way the Benjaminites receive them as brides may not have been the preferred form of wife-taking, in this situation, it is a socially sanctioned, alternative form of marriage.[545] The overall importance of women in a patriarchal somatic society cannot be understated; they are required for reproducing society and the control of their bodies and sexuality is an essential form of social order.[546] In the case of the events here in Judg 19–21, besides the obvious importance of wives for the repopulation of Benjamin, the tribes can most easily and effectively be reconciled through the control and exchange of women. Neglecting to highlight this point, and the instrumental agency it gives the women, ignores their vital place in ancient Israelite society.

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545 See the discussion in Bates, Conant, and Kudat, "Introduction: Kidnapping and Elopement as Alternative Systems of Marriage," 235-36.

546 Turner, *The Body and Society*, 20, 38. See my discussion in ch. 2.

Conclusion

Throughout this study, I have shown how the ordering and functioning of the society depicted in Judg 19–21 rely on the correct regulation of bodies, both male and female. By analyzing the proper and improper control of the various bodies in this pericope, such as the *pîlegeš*, the Levite, the men of Gibeah, the Benjaminites, and the virgins at Jabesh-Gilead and Shiloh, we see that *The [Anti-] Benjaminite Novella* does not illustrate the failure of pre-monarchic society, but rather its triumph in overcoming inter-tribal conflict. Though the idealized society depicted descends into chaos in Judg 19–20, as seen in the events at Gibeah and the civil war, they are able to reconcile themselves, without the influence of a king, by returning to proper bodily regulation. Thus, Judg 19–21 is remembered as a success story of pre-monarchic Israel.[547]

My secondary goal in this study has been to demonstrate the usefulness of the body as an analytical tool for scholars of the Hebrew Bible, especially as the embodied form appears throughout the text. On this point, I wish to make one final comment. Since the beginnings of feminist biblical criticism in the 20th century, scholars have argued for the necessity of focusing on the women in the text, as well as advocated for a new form of analysis, instead of simply inserting women into any holes in the biblical scholarship.[548] For example, Phyllis Bird notes that both previous studies on Israelite religion and anthropological approaches to religion fail to focus on women as religious subjects and so

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547 Remember that I do not presume any historicity of this account, but see its remembrance by the Israelites as an example of pre-monarchic Israel as significant.

548 Hackett, "In the Days of Jael," 15.

offer limited help to a feminist project.[549] Similarly, medievalist Caroline Walker Bynum discusses how Victor Turner's theory of liminality, which has earned him considerable academic capital, proves ineffective for analyzing medieval women's religious practices.[550] Feminist criticism, then, cannot simply discuss women using traditional modes of inquiry; instead, we must to propose new theoretical models to aid the feminist project.

Bird notes that, "[t]he contribution of feminist criticism has been to identify gender as a critical factor in the social and symbolic construction of the world and to analyze its role in the distribution of power and honor."[551] In the effort to identify gender, and specifically women, as essential to the social world, the body serves as a powerful theoretical concept. As I discuss in ch. 1, all humans have bodies, making it the one universal element of human existence. By examining the body, then, we can consider the place both women and men, female and male bodies, occupy in society. We can investigate how the construction and regulation of bodies relates to social norms and how the interactions of bodies between themselves and the world both supports and subverts these norms. Especially in somatic societies such as that idealized in *The [Anti-] Benjaminite Novella*, the body stands as a crucial element in the normal functioning of society and its

549 Phyllis A. Bird, "Israelite Religion and the Faith of Israel's Daughters: Reflections on Gender and Religious Definition," in *The Bible and the Politics of Exegesis: Essays in Honor of Norman K. Gottwald on His Sixty-Fifth Birthday* (ed. David Jobling, Peggy L. Day, and Gerald T. Sheppard; Cleveland: Pilgrim, 1991), 97–108, 311–17.

550 Bynum, *Fragmentation and Redemption*, 29–49.

551 Bird, "Israelite Religion and the Faith of Israel's Daughters," 106.

continued existence. Thus, "the body" as an analytical tool can easily fit into not only the wider biblical studies project, but also in the feminist project.

In this study, I have exemplified how the body can be used to orient an analysis of a biblical text. As the study of the body is still in its infancy in biblical studies, there is a need for significant future research in this area. We need especially to examine bodies outside the realms of purity and sexual activity, including rape. This research can focus on a specific portion of bodies, like Susan Niditch and her study on hair; one type of bodies, like Mark Hamilton and his study on the royal body; or a single pericope, like this study on Judg 19–21.[552] As more scholars join this project, we have the opportunity to constantly hone our definition of "the body" and our understanding of how the body is constructed throughout the Hebrew Bible. Additionally, we need to continue the comparative aspect of this body project, using other data from the ancient Near East to strengthen our analyses. Finally, we must endeavor to be more current with advances in the social sciences, particularly in their research on "the body," a task which proves a constant struggle for biblical scholars. Though we still have much work to do in this field of study, the body has become an important theoretical focus for biblical studies which can illuminate the text in new and exciting ways.

552 Niditch, *Hairy Man*; and Hamilton, *The Body Royal*.

Appendix A: Judges 19–21 Translation

I base my translation on the Leningrad Codex (M^L) from 1009, the most complete manuscript of the entire Hebrew Bible.[553] I rely upon the textual notes to the book of Judges found in both *Biblia Hebraica Stuttgartensia* (*BHS*) with Rudolf Meyer as editor, and *Biblia Hebraica Quinta* (*BHQ*), with Natalio Fernández Marcos as editor.[554] Both editions use M^L as their base text and provide notes where other witnesses diverge. The editors of the *BHQ* volumes include in their notes the Qumran manuscripts to which the editors of *BHS* did not yet have access. Very few Qumran fragments of Judges have been discovered, however, though $4QJudg^b$ includes parts of Judg 19:5–7 and 21:12–15.[555] The Septuagint (LXX), the Greek translation of the Hebrew text, has two witnesses which derive from two separate Hebrew *Vorlagen*. These two manuscripts are helpfully labeled A and B, with LXX^A based on an earlier text than LXX^B. In my translation notes, I specify the particular

553 Emmanuel Tov, *Textual Criticism of the Hebrew Bible*, 3rd ed. (Minneapolis: Fortress, 2012), 45.

554 Rudolf Meyer, *Biblia Hebraica Stuttgartensia: Libros Josuae et Judicum* (Stuttgart: Deutsche Bibelgesellschaft, 1972); and Natalio Fernández Marcos, *Biblia Hebraica Quinta 6: Judges* (Stuttgart: Deutsche Bibelgesellschaft, 2011).

The text which biblical scholars use today is known as the Masoretic Text (MT), named after the medieval scholars who added vocalization and accentuation to the consonantal text, the Masoretes. When I refer to the MT in my notes, I specifically mean the Hebrew text of *BHS* and *BHQ*.

555 Eugene C. Ulrich et al., *Qumran Cave 4.IX: Deuteronomy to Kings*, DJD XIV (Oxford: Clarendon, 1995), 161–69, Plate XXXVI. See also Julio Trebolle Barrera, "Édition préliminaire de $4QJuges^b$: Contribution des manuscrits qumrâniens Juges à l'étude textuelle et littéraire du livre" *RevQ* 15 (1991): 79–100.

version of the LXX only where necessary; if I give no indication, both versions agree on the variant reading.[556]

I do not comment on all variant readings or difficulties with the text, but instead focus only on elements which either affect our reading of *The [Anti-] Benjaminite Novella* or are particularly striking. In my translation I attempt find a balance between reflecting the Hebrew text as much as possible and producing an easily accessible translation for my readers. My glosses to the Hebrew to aide readers are found in brackets, while words in parentheses indicate parenthetical asides found in the Hebrew text itself. As with the main body of my dissertation, I choose not to translate the Hebrew word *pîlegeš*, and instead provide only the transliteration. This appendix contains the entirety of Judg 19–21 with no consideration to the separate strands present in chapters 20–21. For the division of these chapters into Strand A and Strand B, see Appendix B.

19:1 In those days, when there was no king in Israel, there was a man, a Levite, residing in the recesses of the hill country of Ephraim, and he took for himself a wife, a *pîlegeš*,[557] from Bethlehem of Judah.

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556 For more information about the various witnesses to Judges, see Fernández Marcos's introduction to his notes in *BHQ*, 5–12. For a general overview of the witnesses to the Hebrew Bible as a whole, see Tov, *Textual Criticism of the Hebrew Bible*, 23–154; and Ernst Würthwein, *Der Text des Alten Testaments* (5th ed.; Stuttgart: Württembergische Bibelanstalt, 1988). For an English translation of his volume, see Ernst Würthwein, *The Text of the Old Testament* (2nd ed.; trans. Erroll F. Rhodes; Grand Rapids, MI: Eerdmans, 1995).

557 The term *pîlegeš* is frequently translated as "concubine." I prefer an alternative term, "secondary wife." See ch. 4 for a fuller discussion of the term *pîlegeš*.

[2]His *pîlegeš* committed fornication[558] against him and went away from him to her father's house, to Bethlehem of Judah, and she was there for four months' time.

558 The word, *znh* זנה, "to commit fornication," has many variations in its translations. *BHK* suggests the root זעף, *zʿp*, "to be enraged," after LXX^{A}, which uses the passive of ὀργίζω, "to be angry," which the Old Latin follows (*irata est*). For this alternative option, perhaps the Hebrew can be connected to the Akkadian *zenû*, also meaning "to be angry." See *CAD Z*, 85–86. Other Greek manuscripts use ἀποπορεύομαι, "to go away from," from the verb πορεύω, "to go," though as Susan Niditch points out, that verb is very similar to the Greek verb meaning "to fornicate," πορνεύω. See Niditch, *Judges*, 189 n. b. The Targum uses בסר, *bsr*, "to despise," while the Vulgate uses *relinquo*, "to leave." R. Meyer proposes זנח, *znḥ*, "to reject, spurn," in his notes for *BHS*.

The verb *znh* is used in various prophetic texts in the Hebrew Bible to indicate the unfaithfulness of Israel to God (e.g., Ezekiel 6:9; Hosea 4:15, 106:39). In this case, the word suggests that the Israelites abandon God to worship other deities. Perhaps it is possible, then, to read *znh* here as a general breakdown in their relationship. Or, perhaps *znh* is used to indicate how the *pîlegeš* abandons her husband and their marriage through the act of her leaving her husband to return to her father's house. With this reading, we are still left wondering why she leaves her husband; there is no indication given as to what in his behavior, if anything, might have prompted her to leave him.

On the other hand, Phyllis Bird argues that *znh* is a general term used in the Hebrew Bible to indicate extramarital sexual intercourse, specifically a woman's extramarital intercourse, since, as I mention in ch. 4, a woman's married status determines whether any sex is extramarital. Thus, while I enjoy the idea of *znh* indicating a general breakdown in their relationship, there is no evidence to support such a reading here. Regardless, we should interpret the *pîlegeš* on any extreme; she is neither a shameless coquette nor a feminist suffragette. See Phyllis A. Bird, "'To Play the Harlot': An Inquiry into an Old Testament Metaphor," in *Missing Persons and Mistaken Identities: Women and Gender in Ancient Israel* (Minneapolis: Fortress, 1997), 219–36.

[3]Then her husband set out[559] after her to persuade her[560] in order to bring her[561] back, with his young man and a pair of donkeys were with him. When she brought him[562] into her father's house, the girl's father saw him and greeted him joyfully.

[4]His father-in-law, the girl's father, devoted himself to him,[563] and he remained with him three days. They ate and drank and spent the night there.[564]

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559 For his discussion of the ingressive use of *qwm*, see F. W. Dobbs-Allsopp, "Ingressive *qwm* in Biblical Hebrew," *ZAH* 8 (1995): 31–54.

560 Literally, "to speak upon her heart." LXX^{A} follows this phrase with τοῦ διαλλάξαι αὐτὴν ἑαυτῷ, "in order that she be reconciled to him." As Fernández Marcos notes in his *BHQ* commentary, it is unclear whether this is a clarification of the Hebrew or represents a different *Vorlage*. *BHQ*, 105.

561 The MT *kətîb* reads להשיבו, "to bring it (m) back," referring to לבה, "her heart." The other versions support the MT *qerê*, להשיבה, "to bring her back." As both the notes in *BHS* and *BHQ* indicate, the *qerê* is to be preferred. Many other witnesses, including the LXX, Syriac, and Targum, also agree with the *qerê*.

562 LXX^{A} reads ἐπορεύθη, "he was brought in," harmonizing it with the context in which the Levite is the main actor. On the basis of this, the editors of both *BHK* and *BHS* suggest reading וַיָּבֹא. Other witnesses, including the LXX^{B}, Vulgate, Syriac version, and Targum, agree with the MT.

563 Most translations read something akin to "made him stay" (NRSV). The *qal* of חזק, however, can also have a sense of "devote oneself to" when followed by a prepositional ב, which better echoes his father-in-law's excitement expressed in 19:3b. See BDB, 304. While the Leningrad Codex reads וַיֶּחֱזַק, using the *qal*, the Aleppo and Cairo Codices read וַיַּחֲזֵק, in the *hiphil*, "to take hold of, to seize." The latter is represented in all the other witnesses, and so, according to *BHQ*, is to be preferred. See *BHQ*, 106.

564 LXX^{A} and the Theodotian version read ὕπνωσαν, "they fell asleep," assimilating the verb to the context in which they spend the night in the father-in-law's house. Similarly, LXX^{B} reads ηὐλίσθησαν ἐκεῖ, "they were lodged there." In light of this, *BHK* and *BHS* each amend the text to וַיָּלֶן, "he spent the night," referring only to the Levite. While it might sound odd for the father-in-law to "spend the night" or "lodge" in his own house, this more difficult reading is preferred.

[5]On the fourth day, they got up early in the morning, and he started to go. But the girl's father said to his son-in-law, "Sustain yourself[565] with a bit of food, and afterward, you may go."

[6]And so the two of them sat and ate together, and drank. Then the girl's father said to the man, "Please spend the night and may your heart be merry."[566]

[7]When the man started to go, his father-in-law pressed him, and he spent the night there again.

[8]On the fifth day, he rose early in the morning to go, but the girl's father said, "Please sustain yourself."[567] They lingered[568] until the end of the day and the two of them ate.

[9]Then the man started to go, he and his *pîlegeš* and his young man. His father-in-law, the girl's father, said to him, "Now the day has faded into darkness. Spend the night; the day has ended.[569] Spend the night here and may your heart be merry. You can get up early tomorrow for your journey, and you can go to your tent.

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565 Literally, "your heart," לבך.

566 In this phrase, the father-in-law is perhaps requesting the Levite stay and drink with him more.

567 Literally, "your heart," לבבך.

568 The MT is a m. pl. imperative, וְהִתְמַהְמְהוּ, and thus could be translated as a continuation of the father-in-law's command/request: "Please sustain yourself (m. sg.) and linger (m. pl.) until the end of the day." Either translation has its difficulties.

569 "Spend (pl.) the night; the day has ended" is missing in some Greek manuscripts and the Syriac. *BHK* and *BHS* suggest that this phrase is a double reading and should be deleted.

[10]But the man was not willing to spend the night. So he set out and came as far as opposite Jebus, that is, Jerusalem, with were a pair of saddled donkeys and his *pîlegeš* along with him.[570]

[11]When they were near Jebus, the day had greatly faded.[571] The young man said to his lord, "Come now, let us turn aside to this Jebusite city and spend the night in it."

[12]But his lord said to him, "We will not turn aside to a foreign city, here where there are no Israelites,[572] but we will pass on until Gibeah."

[13]He said to his young man, "Come, let us approach one of the places and spend the night in Gibeah or in Ramah."

[14]So they passed on and continued. The sun set upon them near Gibeah which was in Benjamin.

[15]They turned aside there to enter to spend the night in Gibeah. So they went in and sat down[573] in the city's plaza. But there was no man who invited them home to spend the night.

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570 Some Greek manuscripts add καὶ ὁ παῖς αὐτοῦ, "and his young man," in order to harmonize it with vv. 3, 9, 11, 13, and 19.

571 As the note in *BHQ* suggests, יָרַד, the perfect form of ירד, "to go down," is preferable to the unexplainable רַד in the text.

572 Unlike many of the common English versions, I translate הנה as "here," instead of as a pronoun המה, "they," as is witnessed in a few manuscripts and the Targum. In this reading, I agree with Fernández Marcos in the *BHQ*.

573 The MT, Syriac, and Targum use the 3 m. sg. וַיָּבֹא וַיֵּשֶׁב, "he went in and sat down." The LXX and Vulgate read 3 pl., as have I, to assimilate to the context.

[16]But in the evening, an old man came in from his work, from the field. Now that man was from the hill country of Ephraim, but he was residing in Gibeah. (But the people of the place were Benjaminites.)

[17]When he lifted his eyes and saw the man, the wanderer, in the city's plaza, the old man said, "Where are you going and from where did you come?"

[18]He said to him, "We are passing on from Bethlehem in Judah to the far recesses of the hill country of Ephraim; from there I come. I went up to Bethlehem in Judah and I frequent the house of Yahweh,[574] but there was no man who invited me home.

[19]Both straw and fodder we have for our donkeys; there is also food and wine for me, for your handmaid, and for the young man with your servants.[575] There is no need for anything else."

[20]But the old man said, "Peace be with you. Surely your every need is on me. Only do not spend the night in the plaza."

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574 The MT is difficult here, for one expects the sentence to end with his journey's goal, that is, his own house. Thus, the LXX reads εἰς τὸν οἶκόν μου, "to my house." However, as Fernández Marcos points out in his *BHQ* notes, הלך אֶת־ with an accusative participle can mean "to frequent," as in Prov 13:20. According to this reading, the Levite is not claiming to be heading toward a shrine, but rather that he is in the service of the Lord and so regularly must visit the Lord's house. With this reading, we can keep the more difficult MT reading. See Judges *BHQ*, 108.

575 While the LXX agrees with the plural "your servants," the Vulgate, Syriac, and Targum prefer the singular עַבְדֶּךָ, "your servant," which both the *BHK* and *BHS* prefer. As Fernández Marcos mentions, the plural is the *lectio difficilior,* and since it also appears in the LXX, is to be preferred. In the end, either translation reflects the same sense of deference in the verse.

[21]So he brought them[576] into his house and fed the donkeys. They washed their feet, and ate and drank.

[22]They were enjoying themselves when the men of the city, worthless men, surrounded the house, beating violently upon the door. They said to the old man, the owner of the house, "Bring out the man who entered your house so that we may know him."

[23]The man, the owner of the house, went out to them and said to them, "No, my brothers, do not act wickedly after this man came into[577] my house. Do not do this disgraceful act.

[24]"Here is my virgin daughter and his *pîlegeš*; let me bring them[578] out now. Rape[579] them and do to them what is good in your eyes, but to this man, do not do this disgraceful act."

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576 The Hebrew reads "him."

577 The Leningrad Codex of the MT reads another negative, אַל־. All the other witnesses read אֶל־, "to," which is to be preferred.

578 This pronoun and those that follow are 3 m. pl. While the *BHK* and *BHS* suggest correcting these to the feminine form, there is no solid textual evidence to support such a claim. See Fernández Marcos's discussion in Judges *BHQ*, 109.

579 The various definitions for this verb, ענה, include "oppress," "humiliate," and "humble." *HALOT* suggests a definition of "to do violence to," with this verse specifically understood as "to rape (a woman)." While some scholars note that there is not specific term for rape in the Hebrew Bible, I agree with *HALOT* that this word is used to describe what today we would categorize as rape, and so have decided to translate the term this way. See BDB, 776; and *HALOT*, 853.

[25]But the men were not willing to listen to him, so the man seized his *pîlegeš* and brought her[580] out to them. They knew her and abused her all night until the morning. As dawn broke, they sent her away.

[26]The woman came in the dawning of the morning and fell at the entrance of the man's house where her husband was, until it was light.

[27]Her husband rose in the morning and opened the doors of the house. As he went out to continue on his way, there was the woman, his *pîlegeš*, fallen at the entrance of the house, with her hands upon the threshold.

[28]He said to her, "Get up! Let us go." But there was no answer.[581] So he placed her upon the donkey, and the man set out for his place.

[29]When he had entered his house, he took the knife and seized his *pîlegeš*, and cut her, limb by limb, into twelve pieces, and sent her in all the territory[582] of Israel.

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580 The MT does not include the object "her," though it is understood in the context. The LXX adds αὐτήν, "her" (accusative).

581 The LXX adds ἀλλὰ τεθνήκει, explaining the reason why the *pîlegeš* does not respond: she has already died. The MT does not clearly indicate at what point the *pîlegeš* dies, which complicates the Levite's actions in the following verse. I agree with the more difficult reading of the MT, leaving the interpretation of the *pîlegeš*'s death to the reader.

582 Instead of reading "the territory" of Israel, LXX^{A} has τὰς φύλας, "the tribes" of Israel. This Greek reading makes clear that all twelve tribes are contacted, whereas the MT only strongly hints at this. These different readings could be important for determining whether or not the Benjaminites are part of the first gathering at Mizpah (20:1). LXX^{B} agrees with the MT, reading ὁρίῳ, "territory."

[30]Everyone who saw said, "Nothing has been done or has been seen like this from the time the Israelites came up from the land of Egypt until today. Put your minds to it; take council and speak."

20:1 Then all the Israelites came out, and the congregation assembled as one body, from Dan up to Beer-sheba and the land of Gilead, to Yahweh at Mizpah.

[2]The chiefs[583] of all the people, all the tribes of Israel, took their place in the assembly of the people of God, 400,000[584] of foot-soldiers, each drawing a sword.

[3]The Benjaminites heard that the Israelites had gone up to Mizpah.[585] And the Israelites said, "Speak; how was this evil thing done?"

[4]The Levite man, the husband of the slain woman answered, "To Gibeah, which belongs to Benjamin, I came; I and my *pîlegeš*, to spend the night.

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583 The Hebrew term פִּנָּה literally means "corner," so the "corners of all the people" (פִּנּוֹת כָּל־הָעָם) metaphorically indicates the leaders. The Greek versions fail to understand this metaphor in their translations.

584 While the word *ʾelep* often refers to a military unit, not specifically 1000 people, the numbers here in Judg 19–21 are best understood as exaggerated literal numbers. In one version of the text, LXX^{A}, the number of Benjaminites who are slaughtered and who remain perfectly add up to their initial number, 25,700 (Judg 20:15). See my discussion in ch. 3 n. 283 about understanding *ʾelep* as a military unit of variable size, not one thousand.

585 Some Greek manuscripts include καὶ ἐλθόντες, the aorist active nominative masculine plural participial form of ἔρχομαι, "to come," which *BHK* emends as וַיָּבֹאוּ, "and they went," meaning the Benjaminites joined the council at Mizpah. Both *BHK* and *BHS* suggest a lacuna at this point, but there is no textual support for it. Thus, following Fernández Marcos in *BHQ*, I read with the MT, which nowhere specifies whether the Benjaminites attend the meeting at Mizpah.

[5]"But the lords of Gibeah rose up against me, and surrounded the house at night. It was me they intended to kill, but they raped[586] my *pîlegeš* and she died.

[6]"And so I seized my *pîlegeš* and cut her into pieces and I sent her throughout the whole territory of Israel, for they have done a wicked and disgraceful act in Israel.

[7]"Now, all you Israelites, provide word and counsel here."

[8]All the people stood as one body, saying, "Not one of us will go to his tent, and not one of us will turn aside to his house.

[9]"But now, this is the thing which we will do to Gibeah, [we will go] against it by lot.[587]

[10]"We will take 10 out of every 100 from all the tribes of Israel, and 100 out of 1000, and 1000 out of 10,000, in order to take provisions to the army[588] to prepare for their going to Geba [Gibeah] of Benjamin because of all the disgraceful acts which they did in Israel."

[11]So all the men of Israel assembled against the city, united as one man.

[12]The tribes of Israel sent men through all the tribe[589] of Benjamin to say, "What is this evil thing which has been done among you?

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586 See n. 579 for discussion of this verb.

587 The LXX adds the verb ἀναβησόμεθα, "we will go up," as reflected also in the Syriac version and the Targum. Following this reading, *BHK* and *BHS* propose inserting נַעֲלֶה, "we will go up," which may have dropped out due to partial haplography.

588 The Hebrew עם generally means "people," but is clearly meant here to indicate the fighting troops.

589 The MT has the plural of tribe. All the other witnesses, with the exception of the Targum, have a singular noun. The plural perhaps appears as an assimilation to the phrase "tribes of Israel" at the beginning of the verse. Given the extent of the witnesses supporting such a reading, the singular שֵׁבֶט should be restored.

[13]"So now, hand over the men, the worthless ones[590] who are in Gibeah, that we might kill them and exterminate evil from Israel." But the Benjaminites[591] were not willing to listen to the voice of their brothers, the Israelites.

[14]The Benjaminites assembled from the cities[592] to Gibeah to go out to battle against the Israelites.

[15]The Benjaminites were numbered on that day from the cities 26,000[593] who bore arms, besides those dwelling in Gibeah who numbered 700 chosen men.

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590 LXX^{A} parallels the meaning of בְּנֵי־בְלִיַּעַל, "worthless ones" with τοὺς ἀσεβεῖς, "godless ones," but also adds a transliteration of the Hebrew, υἱοὺς Βελιαλ, "sons of Belial." This supposed alternative name for Satan appears once elsewhere, 2 Cor 6:15, though the spelling varies: Βελιάρ. Both /l/ and /r/ are liquid consonants, and so the change between Βελιαλ and Βελιάρ is an example of dissimilation, a common occurrence with sonorants. Herbert Weir Smyth notes that a λ will sometimes change to a ρ when there is another λ in the same word. The previous appearance of this phrase in 19:22 is translated with υἱοὶ παρανόμων in Greek, "lawless ones," as LXX^{B} continues to translate it here in 20:13. See Herbert Weir Smyth, *Greek Grammar* (ed. Gordon M. Messing; Cambridge, MA: Harvard University Press, 1984 [1920]), 32; and Carl Brockelmann, *Grundriß der vergleichenden Grammatik der semitischen Sprachen* (vol. 1; Berlin: Reuther & Reichard, 1908), 229.

591 This is a case of a *qerê* without a *kətîb*: "Benjaminites" frequently appears as בְּנֵי בִנְיָמִין, but here the בְּנֵי, "sons," is missing in the consonantal text. All other witnesses, except for the Vulgate, support the *qerê*.

592 The LXX and Syriac versions clarify the cities as *their* (the Benjaminites') cities: ἐκ τῶν πόλεων αὐτῶν.

593 These numbers are surely exaggerations and do not remain consistent throughout the witnesses. For example, LXX^{A} reads 25,000 (εἴκοσι καὶ πέντε χιλιάδες), while LXX^{B} reads 23,000 (εἴκοσι τρεῖς χιλιάδες).

[16]From all these forces were 700 chosen men,[594] left-handed;[595] each one could sling a stone at a hair and not miss.

[17]And the Israelite troops,[596] apart from Benjamin, numbered 400,000 who bore arms; each one was a warrior.[597]

[18]The Israelites went to Bethel and they inquired of God, and said, "Who of us will go up first to battle against the Benjaminites?" And Yahweh said, "Judah first."[598]

[19]And so the Israelites rose in the morning and encamped against Gibeah.

[20]The Israelite troops[599] went out to battle against Benjamin, and the Israelite troops drew up in battle order against them at Gibeah.[600]

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594 The close repetition of 700 fighters (see the end of 20:15), has proved problematic for some scholars. The LXX ignores the first part of the verse, instead reading the 700 chosen men from Gibeah from v. 15 as the ambidextrous elite slingers. On the other hand, the absence of the beginning of v. 16 from the Greek can be adequately explained by homoioteleuton, as both 20:15 and 20:16aα end with בָּחוּר.

595 The Hebrew literally reads, "bound on the right hand." As I discuss in ch. 4, this description indicates an elite group of ambidextrous fighters.

596 I translate אִישׁ יִשְׂרָאֵל as "Israelite troops" to distinguish from בְּנֵי יִשְׂרָאֵל "Israelites."

597 Literally, "man of war," אִישׁ מִלְחָמָה.

598 The LXX adds the verb ἀναβήσεται, "will go up." The addition of the verb is necessary in Greek, but superfluous in the Hebrew; thus, emendation of the MT is not needed. The Greek versions are perhaps attempting to highlight the leadership of Judah, as the full phrase reads Ιουδας ἀναβήσεται ἀφηγούμενος, "Judah will go up to lead," with LXX^{B} also adding ἐν ἀρχῇ, either "in the beginning" or "in authority."

599 The LXX reads πᾶς ἀνὴρ Ισραηλ, "all the Israelites," indicating that all the Israelites attack, not just Judah, as we can interpret the notice in 20:18.

600 We can imagine the warriors lined up in battle array much like the Rockettes in their famous kick-line.

[21]The Benjaminites came out from Gibeah and crushed in Israel on that day 22,000 men to the ground.

[22]The army,[601] the Israelite troops, strengthened themselves, and again drew up in battle order in the place where they had drawn up on the first day.[602]

[23]The Israelites went up and wept before Yahweh until the evening when they inquired of Yahweh, "Should we again draw near to battle against the Benjaminites our brothers?" And Yahweh answered, "Go up against them."

[24]And so the Israelites approached the Benjaminites on the second day.

[25]Benjamin went out from Gibeah to meet them on the second day, and they yet again crushed among the Israelites 18,000 men to the ground, all of these who bore arms.

[26]Then all the Israelites, all the army,[603] went up and entered Bethel and they wept and sat there before Yahweh, and they fasted on that day until the evening. They offered burnt offerings and wellness offerings before Yahweh.

[27]They Israelites inquired of Yahweh[604]—for the ark of the covenant of God was there in those days

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601 See note 588.

602 The position of this verse has long troubled scholars, leading many translators to transpose vv. 22 and 23, though there is no textual basis for such transposition. As I note in my ch. 1, however, these verses belong to the two different strands of the text. In their respective strands, each verse gives us no difficulties. See Appendix B.

603 See note 588.

604 The Old Latin transposes this phrase to the following verse, separating out the editorial note concerning the location of the ark and the priest in charge. *BHS* suggests that this transposition is "perhaps correct." This correction, however, seems to facilitate an easier reading of the text, and so the more difficult MT is to be preferred.

[28]and Phinehas,[605] son of Eleazar, son of Aaron, was officiating in those days—"Do we once again go out to battle against the Benjaminites, our brothers, or do we cease?" Yahweh said, "Go up, for tomorrow I will give them into your hand."

[29]So Israel set ambushers against Gibeah on every side.

[30]The Israelites went up against the Benjaminites on the third day, and they drew up against Gibeah as before.

[31]When the Benjaminites went out to meet the army,[606] they were drawn away[607] from the city. They began to strike some of the people dead, as before, along the roads, one of which goes up to Bethel and another to Gibeah in the open country, about 30 men of Israel.

[32]The Benjaminites said, "They are being defeated before us, as at the first." But the Israelites had said, "Let us flee and draw them away from the city to the roads."

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605 Moore notes that the mention of Phinehas by name, in a story otherwise filled with anonymous characters, is a gloss. Moore, *Judges*, 433.

606 See note 588.

607 The verbal form here is anomalous. Instead of הֻנְתְּקוּ, Ehrlich proposes the correction of וַיִּנָּתְקוּ, "and they were drawn away," the *niphal* form, noting that the beginning ה can have easily been mistaken from the וי. The LXX, Syrian, and Targum support this reading. In his *BHQ* notes, Fernández Marcos supports this alternative reading, noting the oddness not only of the verbal form in the MT, but the lack of conjunction. Regardless, the meaning of the passage remains the same.

[33]So all the Israelite troops[608] rose up from their place and drew up at Baal-tamar while the ambush from Israel burst forth from its place, from the open space of Geba [Gibeah].[609]

[34]10,000 men, chosen from all Israel, went out in front of Gibeah and the battle was fierce, but they [the Benjaminites] did not know that misery was upon them.

[35]Thus Yahweh struck Benjamin before Israel, and the Israelites destroyed in Benjamin on that day 25,100 men;[610] all of these who bore arms.

[36]Then the Benjaminites saw that they were defeated. The Israelite troops gave ground to Benjamin because they trusted in the ambush which they had set against Gibeah.

[37]So the ambush quickly made a dash to Gibeah. Then the ambush drew and struck the whole city by the sword.

[38](Now, the appointed sign between the Israelite troops and the ambush[611] was that they should send up a signal of smoke from the city.)

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608 The NRSV translates this as the "main body of Israel," separating this primary fighting force from the ambush.

609 LXX^{A} incorrectly translates this phrase as ἀπὸ δυσμῶν, "from the west of Gibeah." It has been suggested that the Hebrew *Vorlage* of the LXX may have read ממערב, "to the west," instead of מערה, "from the open space." In prose, especially earlier prose, however, "west" is typically designated as יָם. Fernández Marcos suggests we maintain the MT, following Rashi in understanding the "open space" as the side opposite the battle where the city is devoid of defenders. LXX^{B} perhaps supports this reading with its transliteration of the MT phrase מִמַּעֲרֵה־גָּבַע: ἀπὸ Μααραγαβε, "from Maaragabe."

610 This appears to be a concluding number which is out of place in the narrative.

611 The Hebrew in the MT of this verse includes the word הָרֵב, an obscure form of the root רבה, "to multiply," which is difficult to place. Some translators, including Meyer in his *BHS* notes, suggest deleting the word as a corrupted double reading of the preceding word, הָאֹרֵב. See also Moore, *Judges*, 442; and Burney, *Judges*, 482. Fernández Marcos in

[39]And when the Israelite troops turned to the battle, as Benjamin had begun to strike dead about 30 men among the Israelite troops, they thought, “Surely they are stricken before us like the first battle!”

[40]The signal began to go up from the city, a column of smoke, and Benjamin looked back, and saw the entire city had gone up to the sky.

[41]Then the Israelite troops turned, and the Benjaminites were dismayed because they saw that misery had reached them.

[42]So they turned from the Israelite troops toward the wilderness, but the battle overtook them, with those from the city destroying them in their midst.

[43]They surrounded Benjamin; they pursued them;[612] they trod them down at (their) resting place,[613] as far as in front of Gibeah on the east.

[44]18,000 men fell from Benjamin, all of these valiant men.[614]

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his *BHQ* critical notes, however, suggests retaining the word, repointing it הָרָב, and transposing the *ʾatnaḥ* to this word. The resulting phrase is “the main ambush.” I follow the suggestion of Meyer in *BHS*. See also Boling, *Judges*, 282, 287; and Soggin, *Judges*, 252.

612 The MT form is an otherwise unattested *hiphil* of the root רדף, הִרְדִּיפֻהוּ. *BHK*, *BHS*, and *BHQ* all suggest amending the form to וַיִּרְדְּפֻהוּ, understanding the ה as a misreading of the initial יו. The qal form, along with the qal meaning of “to pursue,” is to be preferred.

613 The NRSV follows some Greek manuscripts in translating מְנוּחָה, “resting place,” as “from (מ) Nohah,” ἀπὸ Νουα.

614 The phrase אַנְשֵׁי־חָיִל, literally “men of power/valor,” is a typical phrase used to indicate warriors. I discuss the depiction of warriors in the Judg 19–21 in ch. 4.

[45]When they turned and fled to the wilderness, to the rock of Rimmon, they gleaned from them on the roads 5,000 men. They pursued them until they cut them off[615] and struck from them 2,000 men.

[46]Thus, all the fallen from Benjamin on that day were 25,000 men who bore arms, all of them valiant men.[616]

[47]But 600 men turned and fled to the wilderness, to the rock of Rimmon, and they lived at the rock of Rimmon four months.

[48]The Israelite troops had turned to the Benjaminites and struck them by the sword, from the entire city to the animal(s) to all that was found. Moreover, all the remaining cities they destroyed by fire.

21:1 Now the Israelites had sworn at Mizpah, "No man from among us will give his daughter to Benjamin as wife."

[2]The people came to Bethel and sat there until evening before God, and they raised their voices and they wept grievously.

[3]They said, "Why, O Yahweh God of Israel, did this happen in Israel, that today one tribe is lacking from Israel?"

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615 The vocalization in the MT, גִּדְעֹם, suggests the proper name of a location: Gidom. The Greek versions also interpret this as a location: Γαδαάμ or Γεδάν. An adjusted vocalization of the same consonants גִּדְעָם, can be interpreted as a *piel* of the root גדע, "to hew." See Fernández Marcos, *Judges*, 118; Moore, *Judges*, 444; Burney, *Judges*, 486–87; and Boling, *Judges*, 283, 288.

616 See n. 614.

[4]On the next day, the people rose early and built an altar there, and they offered burnt offerings and wellness offerings.

[5]Then the Israelites said, "Who is it from all the tribes of Israel that did not go up with the assembly before Yahweh?" For there was a great oath in regards to whomever did not go up to Yahweh to Mizpah, dictating, "He will surely be killed."

[6]But the Israelites were moved to pity toward Benjamin their brother, and they said, "Today one tribe is cut off[617] from Israel.

[7]"What shall we do for wives for them, for the ones who remain, since we have sworn by Yahweh not to give to them any of our daughters as wives?"

[8]Then they said, "Who from the tribes of Israel did not go up to Yahweh at Mizpah?" It turned out that none came in to the camp from Jabesh-Gilead, to the assembly.

[9]When the people had been counted, there was no one there from the inhabitants of Jabesh-Gilead.

[10]So the congregation sent there 12,000 fighters[618] and commanded them, "Go and strike the inhabitants of Jabesh-Gilead by the sword, including the women and the children.

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617 Some Greek manuscripts read ἀφῄρηται, "is removed," perhaps after a Hebrew *Vorlage* of גרע in the *niphal*, "to be withdrawn." Other Greek manuscripts read ἐξεκόπη, "is cut off," from the Hebrew of the MT, נִגְדַּע.The frequent confusion between ד and ר allows for two different Hebrew *Vorlagen* for the Greek.

618 The Hebrew phrase used here is בְּנֵי חֶיָל, "sons of power," a parallel to the Hebrew אַנְשֵׁי־חָיִל, "men of power." See n. 614.

[11]"This is the thing which you will do: every man and every woman who has known a man sexually you will exterminate."[619]

[12]They found among the inhabitant of Jabesh-Gilead 400 young girls, virgins who had not known a man sexually, and they brought them in to the encampment at Shiloh (which is in the land of Canaan).

[13]Then the whole congregation sent and spoke to the Benjaminites who were at the rock of Rimmon, and they proclaimed peace to them.

[14]So Benjamin returned at that time and they [the Israelites] gave to them the women whom they had let live among the women of Jabesh-Gilead, but they were not enough for them.[620]

[15]Now, the people were moved to pity toward Benjamin because Yahweh had made a breach among the tribes of Israel.

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619 The word I translate as exterminate, תַּחֲרִימוּ, comes from the root for the ban, חרם, which requires items (property, animals, people, land) to be completely destroyed and thus dedicated to Yahweh.

Several Greek manuscripts in the LXX^{B} tradition add a clarifying note at the end of this verse: τὰς δὲ παρθένους περιποιήσεσθε καὶ ἐποίησαν οὕτως, "…but the virgins you will preserve and will do as follows." LXX^{A} does not include this phrase. It should be best understood as a gloss developed in this Greek tradition, and not reconstructed in the MT.

620 While many Greek manuscripts follow the final phrase of this verse in the MT, some versions, including the Origenian Recension, lose the negation: καὶ ἤρεσεν αὐτοῖς οὕτως, "and they pleased/accommodated them thusly." While this could potentially be accounted for by an inner-Greek corruption, it may point to a different Hebrew *Vorlage* which does not include the negative לֹא. Though only speculation, perhaps this *Vorlage* reflects an editorial period before this account is combined with the account of stealing women from Shiloh (Judg 21:16–24). See my discussion of the two versions in ch. 5.

[16]So the elders of the congregation said, “What shall we do for wives for those remaining because each woman has been eliminated from Benjamin?”

[17]They said, “[There must be] an inheritance for the remnant of Benjamin so a tribe will not be wiped out from Israel.

[18]“But we ourselves are not able to give to them wives from our own daughters.” For the Israelites had sworn, “Cursed is he who gives a wife to Benjamin.”

[19]Then they said, “There is the yearly festival of Yahweh at Shiloh which is north of Bethel, east of the road which goes up from Bethel to Shechem, and south of Lebonah.”

[20]So they commanded the Benjaminites, “Go and lie in wait in the vineyards.

[21]“Watch, and whenever the daughters of Shiloh[621] go out to dances in the dances, leave from the vineyards and seize for yourselves, each his own wife, from the daughters of Shiloh, and then go to the land of Benjamin.

[22]“Then if their[622] fathers or their brothers contend against us, we will say to them, ‘Favor us[623] with them [the women] because we did not take for each man his wife in battle. Because you did not give [daughters] to them, now you are not guilty.’”

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621 The Hebrew of the MT leaves the origin of the dancing daughters ambiguous; though called בְּנוֹת־שִׁילוֹ, “daughters of Shiloh,” that can simply indicate their participation in the religious ritual. The Greek versions, however, delete this ambiguity by clearly identifying the dancers as “the daughters of the inhabitants of Shiloh”: αἱ θυγατέρες τῶν κατοικούντων Σηλὼ or αἱ θυγατέρες τῶν οἰκούντων Σηλών.

622 Both this “their” and the following are m. pl., though they reference the virgins dancing at Shiloh.

623 The LXX^{B}, Vulgate, and Syriac versions do not have the pronoun “us,” instead reading ἐλεήσατε αὐτούς, “pity/favor them.” The pronoun is included in the Hebrew of the MT perhaps through dittography, with the נו accidentally repeated: חָנּוּנוּ.

[23]The Benjaminites did so. They carried off wives according to their number from the dancers whom they abducted. Then they went and returned to their own inheritance and they rebuilt cities and dwelled in them.

[24]The Israelites went in different directions from there at that time, each according to his tribe and clan, and they went up from there, each to his own inheritance.

[25]In those days, when there was no king in Israel, every man did what was right in his own eyes.

As the variety in the textual witnesses attests, this verse has been difficult for exegetes. The gist of the verse, however, is that the elders want to point out that the neither they nor the fathers/brothers of the daughters at Shiloh break their vow from v. 18. The women from Jabesh-Gilead are a normal part of the spoils of war; since the Israelites do not take them as wives, but give them to the Benjaminites, they are not considered their "daughters." At Shiloh, since the daughters are captured by the Benjaminites and not given by their fathers, the vow is not broken.

Appendix B: Division of Judg 20–21

In this division, verses which I consider later glosses, such as Judg 20:8–10, do not appear. Brackets indicate short explanatory phrases which also come from a later editor. Words in parentheses are my own glosses to help the reader.

Strand A	**Strand B**
20:1 Then all the Israelites came out, and the congregation assembled as one body, from Dan up to Beer-sheba and the land of Gilead, to Yahweh at Mizpah. [3]The Benjaminites heard that the Israelites had gone up to Mizpah. And the Israelites said, "Speak; how was this evil thing done?" [4]The Levite man, the husband of the slain woman answered, "To Gibeah, which belongs to Benjamin, I came; I and my *pîlegeš*, to spend the night. [5]But the lords of Gibeah rose up against me, and surrounded the house at night. It was me they intended to kill, but they raped my *pîlegeš* and she died. [6]And so I seized my *pîlegeš* and cut her into pieces and I sent her throughout the whole territory of Israel, for they have done a wicked and disgraceful act in Israel. [7]Now, all you Israelites, provide word and counsel here."	[11]So all the men of Israel assembled against the city, united as one man.
[12]The tribes of Israel sent men through all the tribe of Benjamin to say, "What is this evil thing which has been done among you? [13]So now, hand over the men, the worthless ones who are in Gibeah, that we might kill them and exterminate evil from Israel." But the Benjaminites were not willing to listen to the voice of their brothers, the Israelites. [14]The Benjaminites	

assembled from the cities to Gibeah to go out to battle against the Israelites. [15]The Benjaminites were numbered on that day from the cities 26,000 who bore arms, besides those dwelling in Gibeah who numbered 700 chosen men. [16]From all these forces were 700 chosen men, left-handed; each one could sling a stone to a hair and not miss.	[17]The Israelite troops [apart from Benjamin] were numbered 400,000 who bore arms; each one was a warrior.
[18]The Israelites went to Bethel and they inquired of God, and said, "Who of us will go up first to battle against the Benjaminites?" And Yahweh said, "Judah first." [19]And so the Israelites rose in the morning and encamped against Gibeah.	[20]The Israelite troops went out to battle against Benjamin, and the Israelites drew up in battle order against them at Gibeah…
[21]The Benjaminites came out from Gibeah and crushed in Israel on that day 22,000 men to the ground.	[22]The army, the Israelite troops, strengthened themselves, and again drew up in battle order in the place where they had drawn up on the first day.
[23]The Israelites went up and wept before Yahweh until the evening when they inquired of Yahweh, "Should we again draw near to battle against the Benjaminites our brothers?" And Yahweh answered, "Go up against them." [24]And so the Israelites approached the Benjaminites on the second day,	[25]And Benjamin went out from Gibeah to meet them on the second day…
[25aβ]and they (the Benjaminites) yet again crushed among the Israelites 18,000 men to the ground, all of these who bore arms. [26]Then all the Israelites, all the army, went up and came Bethel and they wept and sat there before Yahweh, and they fasted on that day until the evening. They offered burnt offerings and wellness offerings before Yahweh. [27]They Israelites inquired of Yahweh,	

[28aβ]"Do we once again go out to battle against the Benjaminites, our brothers, or do we cease?" Yahweh said, "Go up, for tomorrow I will give them into your hand."	[29]So Israel set ambushers against Gibeah on every side,
[30]The Israelites went up against the Benjaminites on the third day, and they drew up against Gibeah as before. [31]When the Benjaminites went out to meet the army, they were drawn away from the city. They began to strike some of the people dead, as before, along the roads, one of which goes up to Bethel and another to Gibeah in the open country, about 30 men of Israel. [32]The Benjaminites said, "They are being defeated before us, as at the first." But the Israelites had said, "Let us flee and draw them away from the city to the roads."	[33]and all the Israelite troops rose up from their place and drew up at Baal-tamar,
[33b]Then the ambush from Israel burst forth from its place, from the open space of Gibeah, [34]and 10,000 men, chosen from all Israel, came out in front of Gibeah and the battle was fierce.	[34b]but they (the Benjaminites) did not know that misery was upon them. [35]Thus Yahweh struck Benjamin before Israel:
[35aβ]The Israelites destroyed in Benjamin on that day 25,100 men; all of these who bore arms. [36]Then the Benjaminites saw that they were defeated.	[36b]The Israelite troops gave ground to Benjamin because they trusted in the ambush which they had set against Gibeah. [37]So the ambush quickly made a dash to Gibeah. Then the ambush drew and struck the whole city by the sword. [38]Now the appointed signal between the Israelite troops and the ambush was that they should send up a smoke signal from the city. [39]And when the Israelite troops turned to the battle, as Benjamin had begun to strike dead about 30 men among the Israelite

	troops, they thought, “Surely they are stricken before us like the first battle!” [40]The signal began to go up from the city, a column of smoke, and Benjamin looked back, and saw the entire city had gone up to the sky. [41]Then the Israelite troops turned, and the Benjaminites were dismayed because they saw that misery had reached them. [42]So they turned from the Israelite troops toward the wilderness, but the battle overtook them, with those from the city destroying them in their midst. [43]They (the Israelites) surrounded Benjamin; they pursued them; they trod them down at (their) resting place, as far as in front of Gibeah on the east. [44]18,000 men fell from Benjamin, all of these valiant men,
[45]When they turned and fled to the wilderness, [to the rock of Rimmon], they gleaned from them on the roads 5,000 men. They pursued after them until they cut them off and struck from them 2,000 men. [46]Thus, all who fell from Benjamin on that day were 25,000 men who bore arms, all of them valiant men.	[47]but 600 men turned and fled to the wilderness, to the rock of Rimmon, and they lived at the rock of Rimmon four months. [48]The Israelite troops had turned to the Benjaminites and struck them by the sword, from the entire city to the animal(s) to all that was found. Moreover, all remaining cities they destroyed by fire. 21:1 Now the Israelites had sworn at Mizpah, “No man from among us will give his daughter to Benjamin as wife.[624]
[6]But the Israelites were moved to pity toward Benjamin their brother, and they said, “Today one tribe is cut off from Israel.”	

624 I am not as convinced at Burney that 21:2–5 is a later gloss, but do not have a strong claim to place it in either strand. Even without this section, however, the vow against Israelites giving their daughters as wives appears in both strands.

	[7] "What shall we do for wives for them, for the ones who remain, since we have sworn by Yahweh not to give to them any of our daughters as wives?" [8]Then they said, "Who from the tribes of Israel did not go up to Yahweh at Mizpah?" It turned out that none came in to the camp from Jabesh-Gilead, to the assembly. [10]So the congregation sent there 12,000 fighters and commanded them, "Go and strike the inhabitants of Jabesh-Gilead by the sword, including the women and the children. [11]This is the thing which you will do: every man and every woman who has known a man sexually you will exterminate." [12]They found among the inhabitant of Jabesh-Gilead 400 young girls, virgins who had not known a man sexually, and they brought them in to the encampment at Shiloh, which is in the land of Canaan. [13]Then the whole congregation sent and spoke to the Benjaminites who were at the rock of Rimmon, and they proclaimed peace to them. [14]So Benjamin returned at that time and they (the Israelites) gave to them the women whom they had let live among the women of Jabesh-Gilead [but they were not enough for them].
[17]They said, "(There must be) an inheritance for the remnant of Benjamin so a tribe will not be wiped out from Israel. [18]But we ourselves are not able to give to them wives from our own daughters." For the Israelites had sworn, saying, "Cursed is he who gives a wife to Benjamin." [19]Then they said, "There is the yearly festival of Yahweh at Shiloh which is north of Bethel, east of the road which goes up from Bethel to Shechem, and south of Lebonah." [20]So they commanded the Benjaminites, "Go and lie in wait in the vineyards. [21]Watch,	

and whenever the daughters of Shiloh go out to dances in the dances, , leave from the vineyards and seize for yourselves, each his own wife, from the daughters of Shiloh, and then go to the land of Benjamin. [22]Then if their fathers or their brothers contend against us, we will say to them, 'Favor us with them because we did not take for each man his wife in battle. Because you did not give (daughters) to them, now you are not guilty.'" [23]The Benjaminites did so. They carried off wives according to their number from the dancers whom they abducted. Then they went and returned to their own inheritance and they rebuilt cities and dwelled in them. [24]The Israelites went in different directions from there at that time, each according to his tribe and clan.	[24b]And they went up from there, each to his own inheritance.

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